

MEETING NOTICE AND AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting

Monday, February 6, 2012 ■ 7:15 PM

or upon completion of Inland Wetlands Agency Meeting

Audrey P. Beck Municipal Building ■ 4 South Eagleville Road ■ Council Chambers

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes**
 - a. January 17, 2012 Meeting
- 4. Zoning Agent's Report**
 - Monthly Activity Update
 - Enforcement Update
 - Cease & Desist Order-Earth Removal
 - Wildwood Road Noise Complaint Update
 - Other
- 5. Public Hearings**
 - a. **7:15 p.m.**
Special Permit Application, Addition to Eastbrook Mall, (PZC File #432-6)
95 Storrs Road
New England Design/applicant
Public Hearing Continued from January 3, 2012;
Memos from Director of Planning, Assistant Town Engineer, Fire Marshal
 - b. **7:30 p.m.**
Special Permit Application, Cumberland Farms, (PZC File #1303-2)
643 Middle Turnpike & 1660 Storrs Road
Cumberland Farms, Inc./applicant
Memos from Director of Planning, Assistant Town Engineer
- 6. Old Business**
 - a. Special Permit Application, Addition to Eastbrook Mall, (PZC File #432-6)
95 Storrs Road
New England Design/applicant
 - b. Special Permit Application, Cumberland Farms, (PZC File #1303-2)
643 Middle Turnpike & 1660 Storrs Road
Cumberland Farms, Inc./applicant
 - c. Special Permit Application for Fill (PZC File #1306)
28 Old Kent Road
J. James owner/applicant

Michael Beal ■ Binu Chandy (A) ■ JoAnn Goodwin ■ Roswell Hall III ■ Katherine Holt ■ Gregory Lewis ■ Peter Plante
Barry Pociask ■ Kenneth Rawn ■ Bonnie Ryan ■ Vera Stearns Ward (A) ■ Susan Westa (A)

d. Other

7. New Business

- a. Request for BAE Revision, Sawmill Valley Estates (PZC File #1228)
102 Crane Hill Road
B. Lacy/applicant
Memo from Zoning Agent
- b. Potential Changes to the Pleasant Valley Residence/Agriculture (PVRA) & Pleasant Valley Commercial/Agriculture (PVCA) Regulations
Memo from Director of Planning and Development
- c. Other

8. Reports from Officers and Committees

- a. Chairman's Report
- b. Regional Planning Commission
- c. Regulatory Review Committee
- d. Planning and Development Director's Report
- e. Other

9. Communications and Bills

- a. Planning Commissioners Journal- Winter 2012 (final publication)
- b. CFPZA Quarterly Newsletter- Winter 2012
- c. CFPZA-Notice of Annual Conference-3/15/12
- d. 1/31/12 Letter from M. Hart to T. Mele, Re: Interstate Reliability Project
- e. Other

10. Adjournment

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Tuesday, January 17, 2012
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), M. Beal, R. Hall, G. Lewis, P. Plante, B. Pociask,
K. Rawn, B. Ryan
Members absent: K. Holt
Alternates present: B. Chandy, V. Ward
Staff Present: Linda M. Painter, Director of Planning and Development

Chairman Goodwin called the meeting to order at 7:02 p.m. and appointed alternate Stearns Ward to act in Holt's absence and Beal volunteered to be Acting Secretary.

Rawn MOVED, Ryan seconded, to add to the Agenda under New Business, PZC Alternate Vacancy.
MOTION PASSED UNANIMOUSLY.

Minutes:

January 3, 2012 Meeting: Hall MOVED, Ryan seconded, to approve the 1/3/12 Meeting minutes as written.
MOTION PASSED with all in favor except Pociask who disqualified himself.

Zoning Agents Report:

Noted

Old Business:

- a. **Special Permit Application for Fill, 28 Old Kent Road, J. James owner/applicant, PZC File #1306**
After extensive discussion regarding the waivers, concerns for landscaping, drainage, fencing, maintenance of the "dry well", parking surfaces and potential conditions, Rawn volunteered to work with staff to draft a denial motion and Plante volunteered to work with staff to draft an approval motion for the next meeting. It was also noted that there continues to be a need for an established penalty for individuals who do work without a permit.
- b. **Continued Discussion of By-Laws**
Painter reviewed the draft revisions to the PZC By-Laws with the Commission. Hall MOVED, Plante seconded, to accept the draft revisions as amended. MOTION PASSED UNANIMOUSLY.
- c. **Special Permit Application, Addition to Eastbrook Mall & Freestanding Building, 95 Storrs Road New England Design/applicant, (PZC File #432-6)**
Item tabled until 2/6/12 continued Public Hearing.
- d. **Special Permit Application, Cumberland Farms, 643 Middle Turnpike & 1660 Storrs Road, Cumberland Farms, Inc./applicant, PZC File #1303-2**
Item tabled until 2/6/12 Public Hearing.

New Business:

- a. **8-24 Referral: Hickory Lane**
Plante MOVED, Hall seconded, that the PZC notify the Town Council that the proposed acquisition of the Ossen Property would promote Mansfield's Plan of Conservation and Development through protection of interior forest and improved access to existing preserved open space. MOTION PASSED UNANIMOUSLY.

b. PZC Alternate Vacancy

Susan P. Westa was present to introduce herself and answer any questions members had **after** reviewing her professional resume. Noting no questions or comments, Rawn MOVED, Beal seconded, to appoint Susan P. Westa as a PZC alternate. MOTION PASSED UNANIMOUSLY.

Goodwin congratulated Westa and reminded her that she will need to be sworn in to her new position by the Town Clerk prior to the next meeting **on 2/6/12**.

Reports from Officers and Committees:

Beal noted that the next Regulatory Review Committee meeting will be on Wednesday, January 25th at 1:15 p.m. in Conference Room C and added that there will be a presentation by Michael Dietz, UConn Cooperative Extension Program, on Low Impact Development.

Communications and Bills: Noted.

Executive Session:

Strategy and negotiations with respect to pending claim and litigation, Connecticut General Statutes section 1-200(6)(B).

Hall MOVED, Ryan seconded, at 8:20 p.m. to enter into Executive Session to discuss the pending court case of Bruce and Franca Hussey vs. Town of Mansfield Planning and Zoning Commission MOTION PASSED UNANIMOUSLY. Members present were Goodwin, Beal, Hall, Lewis, Plante, Pociask, Rawn, Ryan and alternates Chandy and Stearns Ward. Also present were Dennis O'Brien, Town Attorney; and Linda M. Painter, Director of Planning and Development.

Beal MOVED, Stearns Ward seconded, at 9:08 p.m. to end the Executive Session. MOTION PASSED UNANIMOUSLY.

Adjournment:

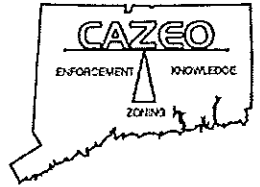
Chairman Goodwin declared the meeting adjourned at 9:09 p.m.

Respectfully submitted,

Michael Beal, Acting Secretary



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDC.T.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: February 1, 2012

MONTHLY ACTIVITY for January, 2012

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Mansell	101 Woodland Rd.	12 x 12 deck
Bartsch	17 Wildwood Rd.	16 x 16 animal shed

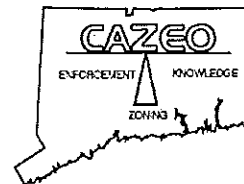
CERTIFICATES OF COMPLIANCE

Theriault	30 Wildwood Rd.	garage
Nielsen	16 Wildwood Rd.	shed
Lownes	24 holly Dr.	deck
Marquis	1663 Stafford Rd.	deck
Quinn	1681 Stafford Rd.	deck
Wright	878 Mansfield City Rd.	deck
Mt. Hope Montessori	48 Bassett's Bridge Rd.	porch
Bartsch	17 Wildwood Rd.	shed

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Town of Mansfield



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ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

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To: PZC
From: Curt Hirsch, Zoning Agent *CH*
Date: February 2, 2012

Re: Cease & Desist, earth removal

Attached please find a copy of the cease & Desist Order I issued to Mason Brook LLC, for the excavation and removal of more than 100 cubic yards of earth material. The subject property is located on Stafford and Merrow Roads. This property was the subject of an Inland Wetland Agency action on 8/1/11. The IWA granted a Declaratory Ruling that no license was required for work associated with an agricultural use that was described as clearing some small treed areas do leveling work to get a more uniform corn field.

Responding to a phone call from a Coventry resident who observed activity over more than a weeks' time, I visited the site and observed a very substantial excavation in progress. In the fifteen minutes that I was at the site, three loaded dump trucks left the site. It was very evident that this was more than a simple grading activity. The excavation contractor contacted me and I mailed a special permit application packet to him on 1/16/12. I have not had any response from the property owner. The activity has ceased.

Town of Mansfield
Immediate
CEASE AND DESIST ORDER

Certified Mail # 91 7108 2133 3935 7788 3682

(also sent first class mail)

Issued to: Mason Brook, LLC
c/o Christopher Kueffner
192 Stafford Road
Storrs, CT 06268

Date: January 9, 2011

Location of property: Stafford Road, Assessor's Map 07, Block 12, Lot 03

Owner of record: Mason Brook, LLC, 192 Ravine Road, Storrs CT 06268

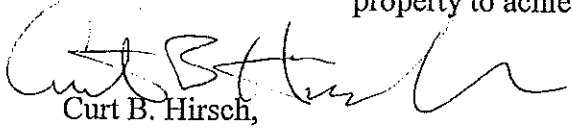
Specific violation: You have excavated more than 100 cubic yards of earth material and transported it off site without authorization through a special permit. The removal of more than 100 c.y. of material within a twelve-month period requires a special permit.

Zoning regulation in violation: Articles IV.A; VI.A.14; VII.A and D.11 (copies attached)

Action required: You shall **immediately** cease all earth excavation, removal and grading on the subject property and you shall not resume any such activity until you have applied for and received a special permit from the Planning & Zoning Commission for this activity.

Authority: Connecticut General Statutes, Section 8-12
Mansfield Zoning Regulations, Art. XI, F. (copies attached)

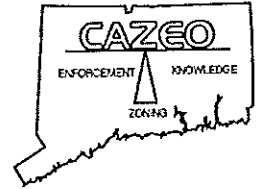
Additional comments: The activity taking place on your property is not the activity that was described to the Inland Wetlands Agency, was simply regarding of the property to achieve a more uniform crop field topography.


Curt B. Hirsch,
Zoning Enforcement Officer

cc: Inland Wetland Agency, Philip DeSiato, Town Attorney



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

January 12, 2012

Tom Burgess
77 Wildwood Road
Storrs, CT 06268

Re: Complaints

Dear Mr. Burgess:

Thank you for your response to my 12/22/11 letter. At this time I am satisfied that the activity taking place on your property, as you have described it in your 12/26/11 response and as I have had the opportunity to observe, does not violate any zoning regulations. The occasions on which I have responded to phone calls about disruptive activity have shown me that the observed work was related to property maintenance/forest management efforts. I must state however that the activities I have witnessed have been very noisy and it is understandable that a neighboring resident could be reasonably bothered by such activity depending on the time of year/day and the length of time the activity persists. Mansfield's Noise Ordinance specifically exempts the regulation of noise caused by property maintenance equipment, farming equipment and farming activity.

It remains my duty to investigate any concerns that come to my attention to verify that those concerns are, or are not, violations of the zoning regulations. Per the request of your 12/26/11 letter, I have enclosed the very few written documents concerning complaints against you. In addition to the noise concern, there have been several undocumented inquiries concerning the public's right to walk through your property on the old Munyan Road right-of-way. This is not an issue I am prepared, nor authorized to address.

Sincerely,

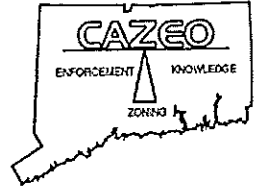
Curt Hirsch
Zoning Agent

cc: Penelope Williams, Planning & Zoning Commission, Town Manager

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

December 22, 2011

Tom Burgess
77 Wildwood Road
Storrs, CT 06268

Dear Tom:

I have been asked by the Town Manager to follow up on the concern that your neighbor has with the occasional noise generated from activity on your property. From my perspective, I am more interested in whether the majority of the activity is simply property maintenance or is there a substantial nexus to the business operation of Residential Foresters. Would you please respond to the following questions?

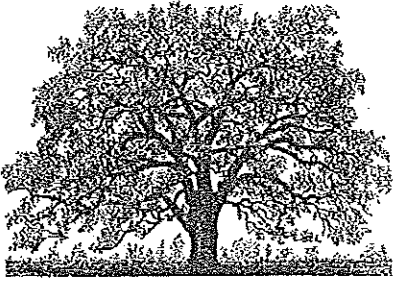
1. Do you sell fire wood and/or wood-chip mulch?
2. If yes, does some of the wood material come from jobs you do off site?
3. If yes, please estimate the percentage of sales (of fire wood and/or wood chips) that comes from this off-site material.
4. Is there any outdoor activity that may occur on this property (other than keeping of your commercial vehicles/equipment), that is directly connected to the operation of Residential Foresters?

An e-mail response is preferred if you have that access, which allows me to track this better. I will appreciate your cooperation in resolving this matter.

Sincerely,

Curt Hirsch
Zoning Agent

Cc: Town Manager; Director of Planning & Development



Tree Ark, LLC
Large Tree Moving
Organic & Natural Tree Care
77 Wildwood Road
Storrs, Connecticut 06268

860-429-9972
860 429-9973 (fax)
860-428-1963 (cell phone)
www.treeark.com
Email: tom@treeark.com

Tom Burgess, LA, NREMT-P
Licensed Arborist
Nationally Registered EMT-Paramedic
Member
International Society of Arboriculture
Connecticut Tree Protective Association
National Arborist Association
Professional Ski Patrol Association
Certified Patroller
National Ski Patrol Certified Patroller #269

12/26/11

Curt,

To answer your?s.

- 1. NO -- actually for the last three years I have had to buy and bring in wood chips for mulching for our nursery trees.**
- 2. No**
- 3. 0 %**
- 4. As would be appropriate as**
 - A. a property owner of 30+ acres**
 - B. to operate my tree farm / tree nursery**

I grow and maintain hundreds trees both for nursery transplanting, for fuel wood / mulch production and timber harvesting on my properties.

My land is in P 490

The majority of my income for many years has been from farming as stated on my schedule F of my tax return.

I have a bona fide Farmer's Tax Exemption from the state.

I have only one commercial vehicle, the others are farm vehicles.

All of my equipment is integral in the operation of my farm.

Additionally under the Freedom of Information Act, please forward any and all past, present and future complaints regarding me.

Regards and Best Wishes for a Happy New Year,

Tom Burgess

TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Date: February 2, 2012 *LM*
Subject: Eastbrook Mall Addition Supplemental Comments
Special Permit Application (File 1307)

This memo supplements my report of December 29, 2011 and is based on revised plans and a response to comments dated January 30, 2012, including submission of a new plan sheet, SP-1A, which eliminates improvements related to the outparcel.

Overview of Plan Changes

In response to previous comments and feedback received from the Commission at the public hearing on January 3, 2012, the applicant has made the following changes to the proposed project:

- The applicant has removed the proposed outparcel from the application, including the new driveway onto Storrs Road and the bridge crossing Sawmill Brook. Removing this portion of the project from the current application eliminates many of the concerns raised in staff comments and at the previous public hearing.
- The revised plans include details on the proposed gravity retaining wall, which will be approximately 15 feet tall at its highest point and will include evergreen ground cover plantings to soften the impact.
- The revised plans include a potential parking area to the west of the proposed addition that could be added if needed in the future to address parking demand.
- The applicant has included details on the proposed excavation along the north property line to address the requirements of Article X, Section H.
- The applicant has coordinated with Windham Water Works on the proposed changes to the water system connection and the Department of Energy and Environmental Protection regarding endangered/threatened species in the area.

Analysis

In my previous report, I identified several areas that needed to be addressed in a revised submission. Each of those areas is addressed below based on the applicant's response and plan revisions:

- **Site Plan Checklist.** The applicant submitted a completed checklist, including requests for the following waivers:

- *Article X, Section H-Application Requirement 3.b and Approval Criteria 5.e.* The application requirements include a data accumulation plan showing contours of all areas within 500 feet of the property, wetlands, watercourses and stratified drift within 1,000 feet, property lines of all properties within 1,000 feet, location of streets and buildings within 1,000 feet and names and addresses of property owners within 1,000 feet. As this request is for excavation for a specific site feature (gravity retaining wall) as part of a development project in a commercial area that is undergoing both IWA and PZC review, not an on-going operation, the applicant is requesting that the requirement for the above information be waived.

Due to site logistics and constraints regarding where the new building addition can be located, the applicant is requesting a waiver from the requirement that excavation areas be located at least 50 feet from the property line and the requirement that approval from the neighboring property owner be obtained. In this particular situation, the excavation request is not for an on-going gravel operation, but rather for regrading in conjunction with a development project. The site is located in a commercial area, and the resulting slope will be contained by a gravity retaining wall with evergreen ground cover plantings to soften the impact of the wall. Additionally, Sawmill Brook is located between the retaining wall and the remainder of the neighboring property, eliminating the potential for conflict with the neighboring use.

- *Article VI, Section B.4.p.2-Landscape Buffer Requirements.* In addition to the 50 foot excavation setback noted above, this section requires installation of a 50-foot landscape buffer adjacent to brooks and wetland areas. As noted above, due to site constraints, the applicant is requesting a waiver of this requirement to allow the installation of a gravity retaining wall on the northern property line.
- *Article X, Section D.5-Minimum Parking Requirements.* Based on the requirements of this section, the proposed development is 140 spaces short of meeting the minimum parking requirement. However, as noted in my previous report, the demand for parking at this shopping center is significantly less than what currently exists on-site and what the regulations require. The applicant is proposing to remove several parking spaces to add landscaping areas to the west of the brook, allowing for some infiltration and initial treatment of stormwater quality before it runs into the brook. The applicant has also identified an area west of the existing building where parking could be constructed in the future if demand exceeded available spaces on a regular basis. Given the benefits provided by these areas and existing parking needs, approval of a reduction in parking would be appropriate with the provision that additional parking be constructed if and when demand routinely exceeds available parking.

- **Agency Approvals.** The applicant has coordinated with Windham Water Works as requested and modified the utility plan based on their comments. The Mansfield Director of Public Works has confirmed that available capacity exists for the new sewer connection. The DEEP has identified two species of concern in the area, the box turtle and the wood turtle. The applicant will coordinate with the DEEP on inspections, seasonal work restrictions, etc.
- **Compliance with Fill/Excavation Requirements (Article X, Section H).** The changes to the site on the north side of the building will require the excavation of approximately 3,800 cubic yards of material and installation of a gravity retaining wall as described above. Excavation and retaining

wall construction is anticipated to take approximately 3-4 weeks. All truck traffic will be directed to Route 195 for removal of excavated material. The excavation will take place in stages as the wall is constructed to ensure that the bank remains stable at all times. As noted above, the applicant has requested waivers from two sections of Article X, Section H.

- **Additional Information/Site Plan Changes Requested.** The following information/changes were requested as part of my previous report:
 - *Proposed location/design of parking to be constructed if needed at a future date.* The revised site plan includes an area along the western and northern property lines (where the current circulation driveway exists) that could be used to install additional parking in the future if needed. Design of this parking area would need to be completed and approved in the future as a modification to the special permit approval if installation is needed due to parking demand routinely exceeding capacity.
 - *Creation of additional landscape areas southwest of Sawmill Brook/Identification of Pre- and Post-Development Impervious Cover Area.* The Conservation Commission recommended that additional landscape areas be added to the southwest of the brook, and that such areas be large enough to result in no net increase in impervious cover on the site. The applicant has indicated that it is not possible to further reduce parking in the front of the shopping center due to tenant leases. Additionally, they do not want to remove the one-way drive adjacent to the brook as it is primarily used for truck circulation. With the removal of the outparcel from consideration, the net increase in impervious cover created by the proposed addition and site changes is 9,817 square feet. The Commission could require additional landscaping to the west/rear of the shopping center to further reduce the increase in net impervious cover, however, this would necessitate a greater parking reduction.
 - *Changes to Parking Lot Circulation Recommended by the Traffic Authority.* The Traffic Authority recommended elimination of the one-way drive due to the awkward five-way intersection created with parking aisles and the original bridge crossing to the out-parcel. The elimination of the bridge crossing has eliminated this conflict and as noted above, the applicant would like to retain the one-way driveway for truck circulation.
 - *Retaining Wall Details.* The applicant has provided detailed information on the proposed retaining wall, including elevation and cross-sections. The detailed sections provided do not appear to include irrigation, which should be a requirement to ensure the survival of the plantings.
 - *Revisions to Architectural Elevations.* At the January 3, 2012 public hearing, the applicant presented a revised elevation for the north side of the building addition. This elevation was not included in the revised plan set for staff review. I have requested the elevations and will provide an addendum to this report at Monday's meeting if received.
- **Key Issues to Be Addressed.** Many of the key issues identified in my previous report have been eliminated due to the removal of the out parcel from the application (FIRM map amendment and impacts on brook from proposed bridge). The applicant has addressed the issues regarding endangered/threatened species and the design of the north elevation of the addition as noted above.

Summary and Recommendations

Based on the analysis contained in my original report and the comments provided above, I find no significant land use issues with the proposed addition. The following conditions/issues should be addressed in any approval motion:

- Waivers to Article X, Section H.3.b (data accumulation plan for excavation request) and Section H.5.e (adjacent property owner approval for excavation within 50 feet of property line).
- Waiver to parking requirements to allow 140 spaces to be constructed only if demand routinely exceeds capacity as determined by the Zoning Agent. Specific design of the additional spaces should be approved through a modification to the Special Permit
- Creation of additional landscaped areas to the west/rear of the building if desired to reduce net increase in impervious cover
- Installation of irrigation system as part of retaining wall

Correspondence Received Since Last Report:

- Memo from Deputy Fire Marshall Francis Raiola dated January 31, 2012
- Memo from Assistant Town Engineer dated February 2, 2012
- Letter from CT DEEP Natural Resources dated 1/31/2012 regarding Wood Turtle

Memorandum:

February 2, 2012

To: Planning & Zoning Commission
From: Grant Meitzler, Inland Wetland Agent
Re: Eastbrook Mall - addition

plan reference: bearing latest revision date January 30, 2012
Traffic Impact Study October 2011
Storm Water Management Study December 2011
Updating BL commentary January 30, 2012
State Traffic Commission letter ... December 28, 2011
Natural Diversity Database letter . January 31, 2012

Continuation of this public hearing beyond this meeting will require an extension of time.

This latest plan revision has provided an Alternate 1 for sheet SP-1A that drops the satellite building that required the crossing of Sawmill Brook and a new driveway onto Rte 195. In discussions with the engineer this change arises from potential adverse wetland impacts for which detailed drainage analysis of Sawmill Brook stream flows is required. The potential impact relates to increased upstream flood elevations and increased bank erosion.

The removal of this part of the application has been due to the need for more information and the satellite building may well come back as a separate application in the future. Any approval should specifically reference sheet SP-1A and the elimination of the satellite building and driveway brook crossing.

This application proposes extending the front section of Eastbrook Mall 82'8" on the north end of the existing building. The Natural Diversity Database mapping indicates this area is within one of the shaded circle areas indicating rare or endangered species.

Traffic, Parking and Circulation

Revisions have been made to the intersection areas at the front and rear of the proposed Michael's building. A traffic calming 'speed table' has been added to the new road to slow traffic along the north side of the Michael's addition.

Three way stop signing has been provided at the intersection at the front of the Michael's store. Curve radii have been increased at the north west intersection behind Michael's. More signing control has been added at the intersection located along the peripheral route where main parking lot traffic routes meet.

The number of parking spaces on site has been reduced. Anecdotally, I have noted the mall parking lot to have more parking spaces than actually were being used for some time. This winter during the week before Christmas the entire northwest parking area behind the mall was empty save less than ten cars along its southerly edge. The plan notes possible future parking area additions behind the mall.

Drainage

The drainage calculations submitted show a modest decrease in flow from the building and parking lot areas directly involved with the mall addition through the use of under surface storage within parking lot and drive areas.

The existing paved leak-offs along the east edge of the mall parking lot and Sawmill Brook are to be upgraded. Removal of a large sand bar that has accumulated at the approach to the existing mall drive entrance is also indicated.

The elimination of the drive across Sawmill Brook along with the 3200 sq.ft. satellite building reduces potential for adverse impact. With the removal of the Sawmill Brook driveway crossing, use of underground storage to reduce runoff, paved leak-off improvements, rain garden planting areas, and sand bar removal, I think this proposal represents a modest improvement for Sawmill Brook.

Sediment & Erosion Plan:

The plans show inlet protection at catch basins, silt fence protection along Sawmill Brook edge through the work area, inlet check dams at paved leak offs with rip-rap outlet protection.

Provision is made for changes and additional protective measures on an as-needed basis.

Specific notes in the plan deal with sediment from open construction areas and traffic in the parking lot areas. Notes limit open areas to one day's work area.

Reporting is noted at weekly intervals and after any storm of greater than 1/4". Written reports of each such inspection are planned. Copies of these reports should be submitted to the planning office.

Summary Comments:

1. Copies of sediment & erosion inspection reports are to be submitted to the planning office.
2. Any approval should specifically reference sheet SP-1A and the elimination of the satellite building and driveway brook crossing and the other sheets in the package of plans still showing the satellite building and brook crossing are to be revised before any approval becomes effective.



TOWN OF MANSFIELD

Mansfield Fire Department



JOHN JACKMAN, DEPUTY CHIEF / FIRE MARSHAL
FRAN RAIOLA, ASST. CHIEF / DEPUTY FIRE MARSHAL

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
TELEPHONE (860) 429-3328
FACSIMILE (860) 429-3388

To: Planning and Zoning Commission

From: Fran Raiola, Assistant Chief / Deputy Fire Marshal

Date: January 31, 2012

Re: Special Permit Application- Eastbrook Mall

PZC file #1307

After reviewing the response to comments and revised plans dated January 30, 2012, for the proposed addition to the existing Eastbrook Mall structure, the development of a free standing building in the northeast corner of the property, and related parking and site work located at 95 Storrs Road, submitted by Eastbrook F, LLC, I have the following comments:

- The required width of fire lanes for emergency vehicle access is 20 feet with a 10 foot setback from the structure. Response to comments on page 11 indicate a possible conflict.

Fran Raiola
Asst. Chief/Deputy Fire Marshal

EASTBROOK MALL
MANSFIELD CT

Northeast Retail
Leasing & Management Company, LLC

PROJECT PLANNERS
◆
NEW ENGLAND DESIGN
INCORPORATED
21 Industrial Drive, Mansfield, CT 06109
© 1999, 2000

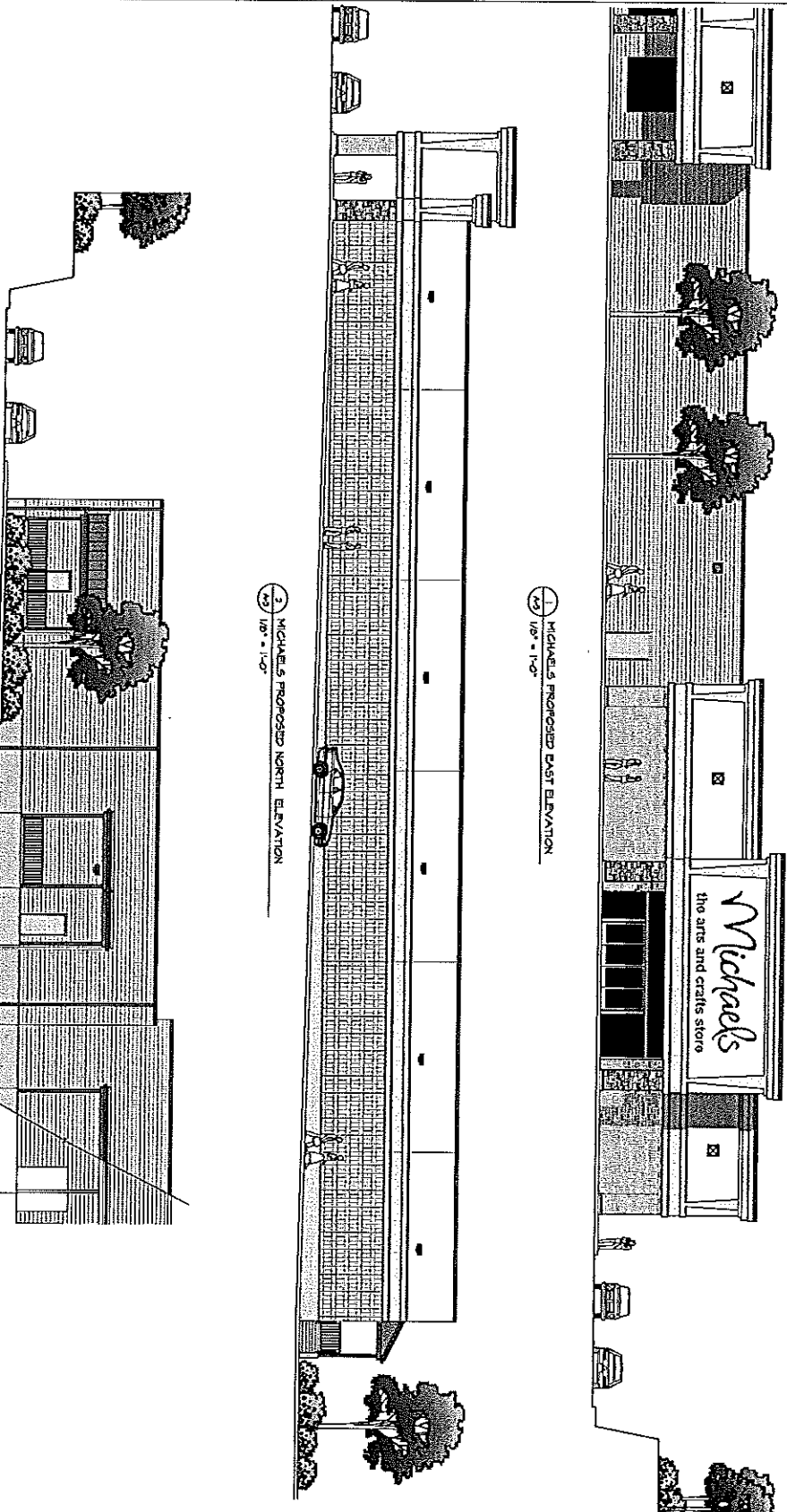
PROJECT ARCHITECT
Karl Norton Architects, LLC
21 Longfellow Drive, Mansfield, CT 06109

DESIGNED BY KND	SCALE NOTED
DATE 12-08-11	REV 02-2-12
OWNED BY	REV
DESIGNED BY KND	REV

PROPOSED
MICHAEL'S COLOR
ELEVATIONS

A-3

PRELIMINARY - NOT FOR CONSTRUCTION



TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT




LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development *LMP*
Date: February 2, 2012
Subject: Cumberland Farms
1660 Storrs Road/643 Middle Turnpike
Special Permit Application (File 1307)

Project Overview



Legend

-  Subject Property: Cumberland Farms
-  Wetlands_Town
-  water

Applicant: Cumberland Farms, Inc.
Property Location: Northeast Corner of Storrs Road (Route 195) and Middle Turnpike (Route 44)
Zoning PB-3/Design Development District
Property Size: 2.62 acres
Project Description: The applicant is requesting Special Permit Approval to construct a new 3,634 square foot convenience store, gasoline filling station with 4 multi-product dispensers and associated underground storage tanks at the site of the former Republic Oil and Kathy John's restaurant, both of which would be demolished.

Site History

The site is currently developed with the former Republic Oil gas station/convenience store and Kathy Johns restaurant, both of which are vacant and rapidly deteriorating. The gas station received special permit approval from the PZC in 1990; the applicant has requested that the prior approval be voided if this special permit is approved. The gas station also received a variance from the Zoning Board of Appeals to allow the existing pump islands and canopy to be located 20 feet from the property line along Storrs Road.

Description of Proposed Redevelopment/Operations

The proposed redevelopment of the site would include demolition of all existing structures, reduction in the number and width of driveways accessing the site and a reduction in impervious surface from current conditions.

Due to the location of off-site wetlands along the northern and southeastern boundaries of the subject site, the applicant has filed a concurrent application with the Inland Wetlands Agency to allow regulated activities in the upland review areas of the wetlands.

The gas station and convenience store will use the existing on-site septic system and potable water supply well. It is anticipated that there will be much lower water and sanitary demands placed on the system by the proposed convenience store/gas station as compared to the former restaurant use.

Special Permit Approval Criteria

Article V, Section B(5) of the Mansfield Zoning Regulations requires that the proposed project meet the following criteria in order to be approved:

- *The proposed project will not detrimentally affect the public's health, safety and welfare.*
Subject to the suggested conditions noted under 'Summary and Recommendations,' the proposed project will not detrimentally affect the public's health, safety and welfare.
- *All approval criteria cited in Article V, Section A(5), Site Plan Approval Criteria, of the regulations have been met.*
See detailed discussion below regarding compliance with Zoning Regulations.
- *The proposed use is compatible with the Town's Plan of Conservation and Development (POCD).*
The property is classified as Planned Business/Mixed Use in the POCD.
- *The location and size of the proposed use and nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the town and other existing uses.*
The subject property is located at the intersection of three arterial roads and was previously developed with a gas station and restaurant. The proposed redevelopment would eliminate a blighted condition as the existing buildings and site have continued to deteriorate since their closure. The property is in the proposed Four Corners sewer and water service area, which would allow for a greater density of development when implemented.
- *Proper consideration has been given to the aesthetic quality of the proposal, including the architectural design, landscaping and proper use of the site's natural features. The kind, size, location and height of structures, the nature and extent of site work, and the nature and intensity of the use shall not hinder or discourage use of the neighboring properties or diminish the value thereof. All applicable standards contained in Article X, Section R shall be incorporated into the plans.*
See detailed discussion below regarding compliance with Zoning Regulations.

Compliance with Zoning Regulations

The following analysis is organized by four main types of regulations: Design, Environmental, Site Access and Site Development/Performance Standards.

- **Design Regulations.** Due to the property's location at the Four Corners, development of the site is subject to three sets of design regulations:
 - Article X, Section A(11) – Four Corners Design Criteria
 - Article X, Section R – Architectural and Design Standards
 - Article X, Section J – Special Provisions in Historic Village Areas

The intent and provisions of the three sections are very similar, with varying levels of specificity for different requirements. The following analysis summarizes areas where the proposed design could be improved to better comply with the various design regulations. The Design Review Panel did review this project; however, there was no consensus among the three members who were part of the review. One member indicated the design was acceptable as proposed and one submitted detailed comments suggesting that the project as proposed was not consistent with the vision for Four Corners (should be higher density with better pedestrian/bicycle orientation).

▪ **Four Corners Design Criteria**

The proposed development complies with many of the design criteria, particularly those related to building design. However, the proposed site layout does require waivers to two of the criteria as described below.

- *Developments along Routes 44 and 195 and along North Hillside Road shall incorporate a prominent pedestrian oriented and extensively landscaped streetscape. The streetscape area shall include a walkway/bikeway, street trees and other landscape enhancements, and, as deemed appropriate by the Commission, pedestrian sitting areas, bicycle racks, bus stops and bus shelters. The required streetscape area shall be a minimum width of 50 feet (from edge of street) unless specifically reduced by the Commission based on site characteristics and the site specific development plan.*

The applicant revised the initial plan to meet the minimum 50 foot width, add landscaping and widen the sidewalk to 8 feet to allow for both pedestrian and bicycle use. There is an existing bus stop on Storrs Road at the existing driveway. To improve bus access in this area, the applicant should coordinate with the Windham Regional Transit District and DOT to design a pull-off within the streetscape area and install a bus shelter.

- *Except where specifically waived by the Commission based on site characteristics and the site specific development plan, new buildings and associated landscape areas shall be located immediately adjacent to streetscape areas to further enhance roadside aesthetics and a pedestrian orientation.*

The site is currently designed with the fuel island canopy located at the corner between the convenience store and the streetscape. For circulation purposes, the canopy is separated from the streetscape by a 24-foot wide drive aisle. The applicant is requesting a waiver from this requirement due to fuel sales being the primary focus of the project. If the Commission is inclined to grant the waiver to allow the fuel island to be located between the building and the streetscape, the feeling of buildings separated from the streetscape by large expanses of pavement could be minimized by enlarging the fuel canopy to have it cover the driving aisle adjacent to the streetscape along both roads.

It should also be noted that this design criteria conflicts with the standard setback requirements of Article VIII, which require a 100 foot setback from both Storrs Road and Middle Turnpike. However, pursuant to Article X, Section A.4, the Commission has the ability to determine the required setbacks in Design Development Districts to achieve the best design for the project when taking other factors into consideration.

- *Except where specifically waived by the Commission based on site characteristics and the site specific development plan, parking, loading, waste disposal and storage areas shall be located to the rear or side of buildings and screened from adjacent roadways and walkway/bikeways.* If the location of the fuel island is acceptable to the Commission, the canopy structure itself minimizes the impact of the parking located between the store and the streetscape along Storrs Road. However, the applicant is also proposing to locate 8 spaces between the building and Middle Turnpike, which would require a waiver as well.

- *Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.*

The proposed wall and area lighting fixtures are utilitarian/industrial in design; fixtures that are more architecturally compatible with the building design would be more appropriate. To ensure that no light spills off-site, all fixtures should be dark sky compliant and the lighting plan should be updated to reflect all light fixtures, including illuminated signs. White lamps

(metal halide, fluorescent, incandescent, led, etc.) should be used rather than low or high-pressure sodium. (Article X, Section R.4 contains more detail on appropriate design of lighting).

- *Building materials are a significant factor in defining the appearance of a building and coordinating development within an area. Traditional high quality building materials, such as brick and wood siding that reflect Mansfield's architectural tradition shall be used in the Four Corners area. Modern materials, such as fiber cement siding that have the same visual characteristics as wood, may be used but the following materials are examples of materials that are not considered appropriate in the Four Corners area: highly reflective metal or plastic siding or panels, brushed aluminum, bronzed glass, concrete siding, unfinished concrete block and corrugated fiberglass.*

The applicant has changed the siding material to wood clapboard to comply with this requirement in their latest submission. Clarification should be provided that the 'synthetic wood' trim is of a fiber cement or similar material and not vinyl/plastic.

- **Special Provisions for Plan of Conservation and Development designated Historic Village Areas**
While Four Corners is designated as a Historic Village in the POCD, the properties at the actual intersection are completely devoid of any historic structures/resources. Due to the lack of historic context in the immediate area, requirements for new structures to respect the scale and spacing of other structures are difficult to apply. As required by both the Four Corners standards and the Historic Village criteria, the proposed building design reflects Mansfield's architectural tradition.

- **Architectural and Design Standards**

The following analysis is limited to those standards/criteria that have not already been addressed by the Four Corners and Historic Village criteria.

- *Site Layout Standards.* As designed, the main façade of the store has more of a western than southern orientation. Additionally, the canopy of the fuel island is located parallel to the store, further inhibiting solar access. A better solar orientation could be achieved by angling the building to the corner.
- *Signs.* Design of signage, lighting fixtures, storage enclosures, etc. is required to be coordinated with the primary buildings in form, materials and details. The applicant is proposing to install two, twenty-foot tall pole signs, one on each frontage. Given the design of the building and the goal of achieving a pedestrian oriented streetscape, monument signs would be a better design choice. If a pole sign type is used, only one should be permitted.

It should also be noted that Article X, Sections C.5 and C.6 specifically address use of freestanding signs. One freestanding identity sign (maximum of 32 square feet with no dimension greater than 8 feet) is permitted for all commercial uses; however, a second freestanding sign with a maximum of 12 square feet may be allowed by the Commission on sites with frontage on two roads, provided the sign clearly promotes traffic safety, public convenience and excellence in design and aesthetic character. Additionally, gasoline service stations are allowed one additional sign for pricing information provided the dimensions do not exceed 3 feet by 4 feet and the pricing information is placed on the same structure with the identity sign. In this case, variances would be required for the size of the pricing sign as well as the second sign, which is in excess of 12 square feet. The Commission has the authority to allow a dimension greater than 8' for the identity sign provided it promotes excellence in design and aesthetic character and will not create safety problems.

The fence enclosure for the garbage/recycling area should be designed to complement the architecture of the store building.

- *Landscaping.* The applicant has provided extensive landscaping in the streetscape as required by the Four Corners design criteria. The easternmost bed on Middle Turnpike needs to be shifted to be located at least 25 feet from the edge of pavement to ensure adequate site distance for vehicles exiting that driveway. Additionally, the existing shrub/hedge on the east side of the driveway also needs to be cut back to a distance of 25 feet.

- **Environmental (Water, Wastewater, Flood Control, Etc.).**

As the property is located in the Four Corners area, which has a history of environmental contamination from failed septic systems and leaking underground storage tanks, it is expected that the applicant will be coordinating with DEEP on site remediation prior to development. Additionally, the applicant should be aware that the Town is in the process of trying to bring sewer and water infrastructure to this area. To defray the cost of the design and construction, the town may assess properties in the service area, regardless of whether the property owner chooses to connect to the system.

- *Water.* The boundary between the Fenton River and Willimantic River watersheds runs through the property. It is recommended that the property be graded to direct drainage into the Willimantic River watershed; based on a preliminary review, it appears that the proposed drainage plan is consistent with this goal. Final plans should include the watershed boundary to confirm that this goal has been achieved, with adjustments made to the grading and drainage as needed.

The applicant has moved the garbage/recycling area to be at least 75 feet from the on-site well in accordance with health code requirements.

- *Wastewater.* The Eastern Highlands Health District has reviewed the proposed plans and indicated that the proposed septic system is sufficient for the use.
- *Stormwater.* The redevelopment of the site will improve the overall quality of water flowing into the off-site wetlands through the reduction of overall impervious cover and use of a bio-retention basin.

- **Site Access (Vehicular, Pedestrian, Parking, Loading, etc.)**

The proposed redevelopment plan will improve vehicular access and reduce conflicts by limiting access to two clearly defined driveways, one on Storrs Road and one on Middle Turnpike. Additionally, the current plan includes pedestrian and bicycle accommodations.

- *Vehicular Access.* In its review of the proposal, the Traffic Authority recommended that the proposed left turn out onto Storrs Road be removed and that pedestrian and bicycle facilities be improved. Encroachment permits from CTDOT will be needed for the two driveways.
- *Pedestrian/Bicycle Access.* The applicant has widened the proposed sidewalk within the streetscape to 8 feet to accommodate both pedestrians and bicycles, extended the sidewalks to the property lines, included cross-walks at the driveways and pedestrian connections to the building, all as recommended by the Traffic Authority. The Traffic Authority did note that the relocation of the store building to be adjacent to the streetscape would further improve pedestrian access as no crossing of the parking lot would be required. While the applicant has included a bicycle parking area, it is not located close to the main entrance. Bicycle racks should be located in front of the store close to the main entrance, where they are visible to both employees and patrons in the store.

- *Transit.* As noted previously, there is an existing bus stop adjacent to the site. The applicant should work with WRTD and CTDOT to include a bus pull off and shelter within the streetscape area on Storrs Road to further improve transit access to the area.

- **Site Development/Performance Standards**

- *Fill/Excavation.* As part of the site development, the applicant will be conducting excavation and fill work in excess of 100 cubic yards, and as such, special permit approval for the final grade is needed as part of this application. The applicant has provided detailed cut/fill calculations, and has addressed erosion and sedimentation controls for the development. Any approval of this application should include compliance with the requirements of Article X, Section H.5.
- *Landscaping/Buffering.* With the exception of the driveway and parking area along Middle Turnpike, no development is proposed within 50 feet of the eastern and northern property lines that abut adjacent properties. A waiver to the 50 foot landscape buffer width will be required for the driveway/parking area. It should be noted that the area along the northern and eastern property lines is currently wooded; however, it is unclear whether the trees are on the subject property or adjacent properties. Additionally as these trees are primarily deciduous, installation of some evergreen trees along the northern property line, which abuts single-family residential properties would be appropriate to screen the view of the gas station during winter months when the trees are not in leaf.

Summary and Recommendations

Subject to the Commission's determination regarding appropriateness of the waivers to various design regulations that are requested as part of the application, I find no significant land use issues with the proposed development. Provided the applicant is able to address the issues identified in this report to the Commission's satisfaction during the public hearing, the hearing should not need to be continued. The following conditions/issues should be addressed in any approval motion:

- Waivers to the following regulations:
 - Four Corners Design Criteria (Article X, Section A.11.c and A.11.d)
 - Landscape Buffer Width (Article VI, Section B.4.q.2)
- Establishment of building setbacks in accordance with Article X, Section A.4
- Revisions to the site plan including the following:
 - Removal of the left turn onto Storrs Road/Route 195 and design of the driveway to prohibit left turns
 - Relocation of bicycle racks closer to the main store entrance
 - Overlay of watershed boundary and any necessary changes to ensure drainage flows to Willimantic River Watershed
 - Addition of a bus pull off and shelter on Storrs Road
 - Revisions to landscape plan to meet site distance requirements on Middle Turnpike and add evergreens along north property line
- Revisions to lighting details and provision of fence details
- Revisions to proposed signs to comply with Article X, Section C.
- Clarification that 'synthetic wood' refers to fiber cement product that has similar characteristics to wood, not a plastic or vinyl product.
- Voiding of the previous Special Permit approval issued for Republic Oil
- Authorization of Zoning Agent to provide a Certificate of Approval of the location for the sale of gasoline.

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicant:
 - Application submitted December 9, 2011 and received by the PZC on December 19, 2011, including:
 - Written authorization from property owners of record
 - Statement of Use
 - Sanitary Report prepared by Michael Hollowood, P.E. and dated December 9, 2011
 - 16-page plan set including existing conditions survey, site plan, grading, erosion controls, landscape plan, lighting plan, sign plan, floor plan and building elevations dated December 9, 2011 and revised through January 23, 2012 (site plans prepared by CHA; architectural plans prepared by Aharonian & Associates)
 - Traffic Study dated December 9, 2011
 - Stormwater Management Report dated December 9, 2011
 - Letter from Joseph Williams dated January 24, 2012 summarizing changes to plans
 - Cut and Fill Calculations dated January 13, 2012
 - Emails from Joseph Williams dated January 25 and January 30, 2012
- The following correspondence regarding the proposed development has been received:
 - Memos from Assistant Town Engineer dated January 10, 2012, and January 30, 2012
 - Memo from Geoffrey Havens, Eastern Highlands Health District dated January 17, 2012
 - Memo from Mansfield Conservation Commission dated December 29, 2011
 - Memo from John Jackman, Fire Marshal, dated January 9, 2011
 - Letter from David A. Sawicki, State Traffic Commission, dated January 20, 2012
 - Letter from Nelson DeBarros, DEEP Wildlife Division, dated January 17, 2012
 - Memo from Peter Miniutti of the Design Review Panel dated December 21, 2011.
- Neighborhood Notification Forms were sent to property owners within 500 feet of the subject property in accordance with Article V, Section B(3)(c) of the Mansfield Zoning Regulations. A copy of the notice and certified mail receipts have been provided to the Department of Planning and Development.
- Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and public hearing testimony. A decision must be made within 65 days of the close of the Public Hearing unless the applicant grants a written extension.
- The Public Hearing on this item will be opened on February 6, 2012.

PAGE
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Memorandum:

January 30, 2012

To: Planning & Zoning Commission
From: Grant Meitzler, Assistant Town Engineer
Re: Cumberland Farms - Rtes 44 & 195 - Convenience store w. gas service

plan reference: dated January 23, 2012
traffic study: dated December 9, 2011
Stormwater Management Report December 9, 2011

This application proposes removal of the Citgo Service Station and the Kathy John's Restaurant buildings and replacement with a Cumberland Farms Convenience Store with a new 4 station Gasoline pump operation (8 pumps).

TRAFFIC:

The traffic study includes accident information for Rtes 44 & 195 for the three year period from Jan. 1, 2006 through Dec. 31, 2008. This reporting period is indicated as being just before the closure of Kathy John's and the service station. The information showed 3 accidents involving this site access/egress on Rte 195, and no accidents involving this site access/egress on Rte 44.

Only one of the three Rte 195 drive accidents involved a left turn from the site onto Rte 195. (Page 3-4 of Traffic Study). The area included for accidents was from Rte 44 to 320. The total number of accidents here for the 3 years was 42 on Storrs Rd and 10 on Rte 44. These were primarily at intersections and involved rear-end or left turn accidents.

Review by the Town's Traffic Authority indicated removal of the Left Turn exit to Rte 195 southbound. This would make the 195 drive two lanes wide with one lane in and one lane for right turn exit only. The traffic report indicates a Level of Service "E" for this LT exit to Rte 195. The right turn exit is at LOS "B". Level of Service "E" recommends against this exit, and means that drivers wanting to make that turn will quickly learn to head back to Rte 195 by way of Route 44 site exit.

The traffic Report indicates an overall increase in traffic of less than one percent compared with traffic generated by Kathy John's and the gas station. An additional plus is the change from the existing 6 open drives to only two drives with striped control.

Sight distance is severely restricted by evergreen plantings along the east side of the Route 44 drive. These need to be removed 25' back from the edge of the Route 44 travelled way. The proposed planting area on the west side of the Route 44 drive has plants that will grow to high mature height and they too need to be kept 25 feet back from the edge of the Route 44 travelled way.

INTERIOR PARKING & CIRCULATION:

Acceptable truck turning radii through the parking and drive areas to reach the proposed tank location and then exit to Route 195 have been demonstrated in Appendix G - On-site Truck Circulation Path. If the left turn exit lane to Rte 195 is to be deleted consideration needs to be given to truck exiting the site to Rte 195 safely.

The minimum width of drive aisles is shown at 24' - with wider areas needed for circulation around the pump islands and for tank truck maneuvers through the lot.

There is a total of 22 defined 9.5'x 19' spaces, and one handicapped space which has been placed in front of the building near the entrances.

DRAINAGE:

The proposed site plan keeps work within existing developed areas and significantly reduces the area of impervious cover from 1.6 acres to 0.8 acres. Surface drainage from the paved area drainage system has been directed to a new stormwater management system (retention pond) that will reduce outflow from the site by about 30%. This design is consistent with DEP Stormwater Management Guidelines and shows an improvement in storm flow conditions for the site.

The plans indicate a system of storm drainage over most of the developed part of the site. Portions of the existing system that will remain functional are to be connected with the new portions. Flow is directed to a proposed retention/infiltration pond about 2500 sq.ft. in area that will include hoods for protection at the outlet of the nearest catch basins to this impoundment. This impoundment has been designed in line with the DEP Water Quality Volume and Flow Guidelines to treat and collect the first inch of storm rainfall.

SEDIMENT & EROSION:

The construction sequence does not indicate the building demolitions. The person responsible for implementing the sediment & erosion plan should be submitted as soon as the Contractor has been chosen - with contact numbers.

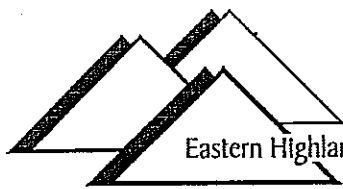
No stockpile location has been indicated on the plan. Appropriate notes are on the plans indicating protection of stockpile areas.

A tracking pad is indicated at each new drive location. A note indicates other entrances are to be blocked to construction traffic.

On sheet C202 there is a note indicating silt fence along Rte 44 but the plan shows silt fence stopping about 120' away near the Rte 44/195 intersection.

SUMMARY RECOMMENDATIONS:


1. Add silt fence and catch basin protection along Rte 44 frontage.
2. Consideration should be given to elimination of the left turn to 195 drive lane. Noting: only one accident is shown in 3 years accident records; Fuel truck movements exiting the site.
3. Add recommended stockpile area(s).
4. On-site planting and brush growth should be removed 25 feet back from the edge of the travelled way for sight distance to the east on Rte 44, and landscaping area on the west side of the drive is to be kept 25' back from the edge of the route 44 travelled way..



Eastern Highlands Health District

4 South Eagleville Road • Mansfield CT 06268 • Tel: (860) 429-3325 • Fax: (860) 429-3321

Memo

To: Mansfield Planning and Zoning
From: Geoffrey Havens, RS 
CC: Linda Painter, Curt Hirsch, Jessie Shea
Date: 1/17/2012
Re: 643 Middle Turnpike & 1660 Storrs Road, Cumberland Farms, In - PZC File #1301-2

I have reviewed the documentation and plans provided with the Application Referral for the referenced project, as well as the application for B100a review and associated documentation, including related testing of soils on the site.

Based on this review, I conclude that the existing systems are capable of providing potable water and sanitary disposal of sewage in compliance with the Public Health Code of the State of Connecticut, and that the site is, in the event of failure of the existing sewage disposal system, capable of hosting a satisfactory replacement of that system.

I further noted the proposed placement of a source of pollution, as defined in Section 19-13-B51b(14) of the Public Health Code. This source, a dumpster for accumulation of refuse, is located less than 75 feet from the water supply well serving the site, in violation of Section 19-13-B51d(a)(2). The relocation of any dumpster to a location outside of the protective radius of the well and as far removed and down-gradient from the well location as the parcel will allow is always strongly recommended.

It should be understood that any food service operation to be associated with this project is subject to approval by the health district, based on review of its particulars, and must be conducted under license from the district.

TOWN OF MANSFIELD

CONSERVATION COMMISSION

Memo to: Mansfield Inland Wetland Agency and Planning and Zoning Commission
From: Mansfield Conservation Commission
Date: December 29, 2011
Re: Cumberland Farms
PZC File # 1303-2
IWA File # W1491

At a meeting held on 12/21/11, the Mansfield Conservation Commission agreed on the following comments:

W1491 (Cumberland Farms, 4 Corners). As this application is essentially a resubmission of W1483, the Commission saw no need to revise its comment of 20 July 2011.

Excerpt from 7-20-11 Conservation Commission Minutes:

“After some discussion, the Commission agreed unanimously (motion: Facchinetti, Trainor) that no significant impact on wetlands is to be expected from this project, provided standard sedimentation controls are employed during construction.”

12. 21.2011

Comments from Peter Miniutti, Member Design Review Committee:

Cumberland Farms @ Four Corners

General observation: Building massing and landuse is not consistent with creating a welcoming mixed – use, pedestrian friendly “Gateway” to Mansfield and UConn.

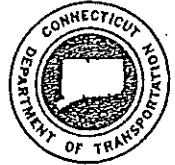
1. Parcel(s) need to have an overall master plan with much higher density and mix of landuses.
2. Building(s) should be multi-story and closer to street similar to Storrs downtown (maybe not quite so tall).
3. Gas station should be a supplemental use, not the major use.
4. A commitment to multi-modal transportation design (walking and biking) is lacking.
5. This project needs to set an example for sustainable development at Four Corners.

Eastbrook Mall Proposal

General observation: Proposed building massing and materials are in character of the existing mall. No additional comments.



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone: (860) 594-3020

January 20, 2012

Mr. David Kahlbaugh, AICP
Section Manager - Traffic
CHA
111 Winners Circle
P.O. Box 5269
Albany, NY 12205

Dear Mr. Kahlbaugh:

Subject: Town of Mansfield
Route 195 (Storrs Road) at Route 44 (Middle Turnpike)
Cumberland Farms

This is to confirm receipt of your letter and traffic study received January 17, 2012 for the subject development.

The need for State Traffic Commission involvement is triggered when an overall development equals or exceeds 100,000 square feet of gross floor area and/or 200 parking spaces. Based on the information provided, the proposed overall development will consist of 3,634 square feet of gross floor area and 22 parking spaces.

Consequently, State Traffic Commission involvement regarding the development is not required at this time. However, the driveway access on a state highway for developments of this size is regulated under the Department of Transportation's Encroachment Permit Process. The District 2 Maintenance Office (Attn: Mr. John DeCastro at 860.823.3211) is responsible for administering the encroachment permit process in the Mansfield area. Consequently, the submitted information has been forwarded to that office for consideration.

Please note any future expansion, such that the aforementioned square footage or parking space thresholds are equaled or exceeded, will trigger the need for review by this office and, if necessary, formal State Traffic Commission action.

Very truly yours,

for David A. Sawicki
Executive Director
State Traffic Commission

cc: Mr. Matthew Hart
✓ Mr. Michael Nintean

To whom it may concern,

I am writing this letter of request to expand the building envelope on lot 4 Crane Hill Rd. I would like to do so in order to build a barn in what I feel is the most suitable spot. When I purchased the land my intention was to keep all of the structures to the front, most narrow part of the land. In doing so, this would keep the bulk of the land to the rear, undeveloped for farming. The current building envelope occupies an area which I feel is unacceptable for a structure and has more value in being left wooded.

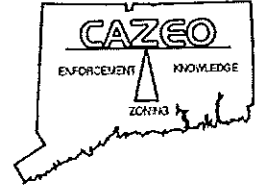
Sincerely,
1/25/2012
Ben Lacy

Proposed revisions to BAE
Sawmill Valley Estates

PAGE
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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

To: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: February 2, 2012

Re: **Proposed revisions to Building Area Envelope (BAE)
Lot 4, Sawmill Valley Estates, PZC file # 1228**

The attached 1/25/2012 letter from Ben Lacy, request's PZC approval for a revision to the BAE to Lot 4 of the Sawmill Valley Estates Subdivision on Crane Hill Road. This is a 32.5 – acre, one-lot subdivision approved in June 2005. Mr. Lacy has also submitted revised mapping, prepared by Datum Engineering & Surveying that shows the existing and proposed BAE limits. A zoning permit was issued in October 2011 for the construction of a single-family residence and that work is well underway. The proposed revisions are associated with a planned garage and agricultural barn. Upon reviewing the area for construction that was depicted on the approved subdivision plan, Mr. Lacy found it to be unacceptable for building purposes and is seeking to expand the building envelope further. Based on the provisions of Section 6.13 of the Subdivision regulations, BAE revisions require PZC approval.

My review indicates that the proposed BAE revision can be accomplished in an acceptable manner that will not affect neighboring properties, natural or manmade features or the overall character of the subdivision. The proposed BAE revision remains well within the limits of the established DAE and would increase the area within the BAE by (very) approximately, 20,000 square feet. The proposed barn would be located approximately 350-feet from the nearest residence and 120-feet from the nearest wetlands boundary. The construction of a structure used for agricultural purposes however, is exempt from wetland regulations. The proposed BAE revision remains fifty feet from the nearest property side-line boundary and almost 500 feet from the front line along Crane Hill Road.

I recommend that the Planning & Zoning Commission approve the Building Area Envelope on Lot 4 of the Sawmill Valley Estates Subdivision as proposed in a 1/25/12 request and shown on plans dated 1/5/12. This action shall be noticed on the Land Record.

NOTE: ADDITIONAL SEDIMENT & EROSION MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE MANSFIELD INLAND WETLAND AGENT

LOT #4

PROP. BARN

LOAN STOCK

PROPOSED GRAVEL DRIVE

PROPOSED WELL

PRIMARY SEPTIC AREA

RESERVE SEPTIC AREA

TREES TO BE SAVED

BENCH MARK
TRIPLE DOUBLE HEADED
NAILS IN 10" BIRCH
ELEVATION - 423.94

LIMIT LINE OF UPLAND REVIEW AREA 150' FROM INLAND WETLANDS AND WATERCOURSES

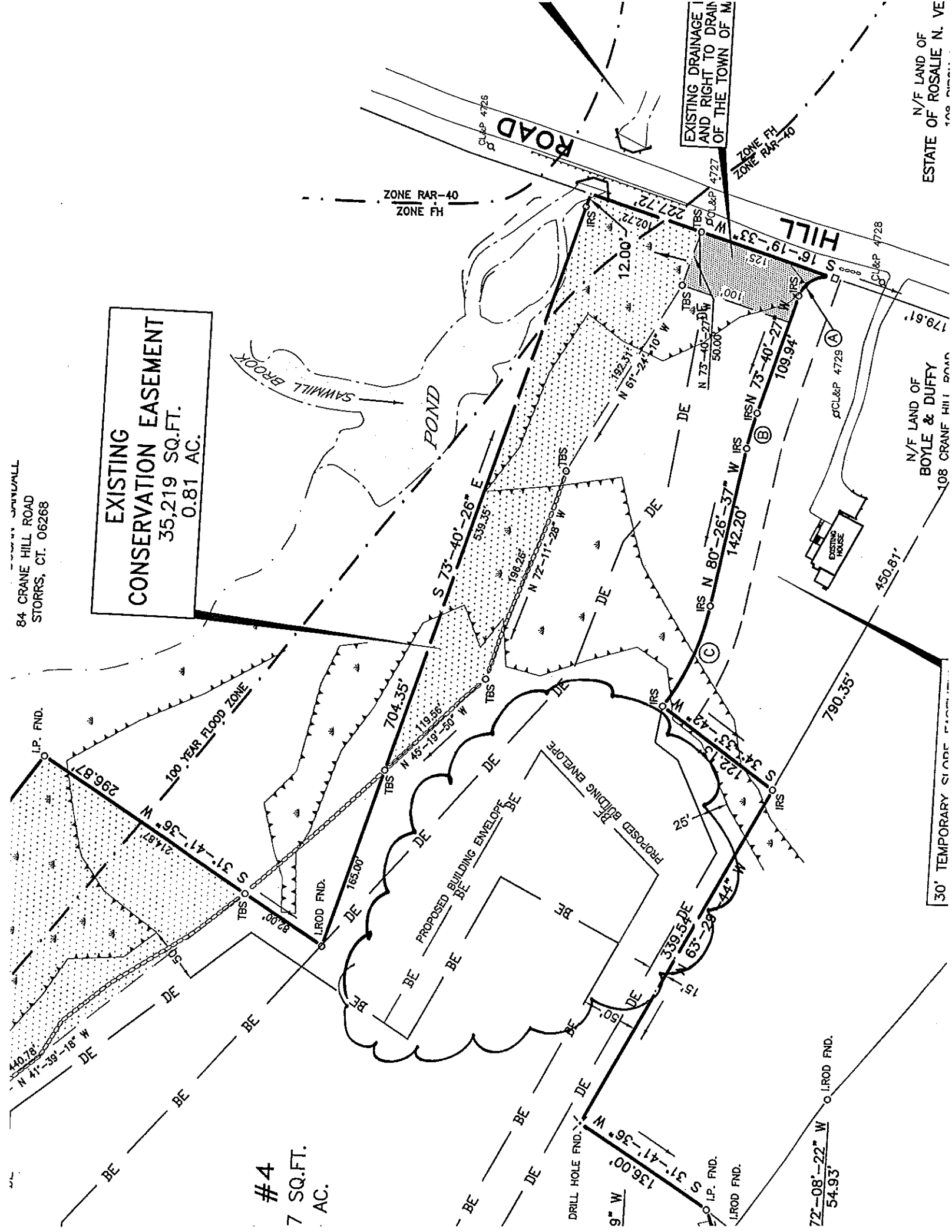
~~LOT #4~~

PZC- Approved Subdivision Plan

84 CRANE HILL ROAD
STORRS, CT. 06268

EXISTING
CONSERVATION EASEMENT
35,219 SQ.FT.
0.81 AC.

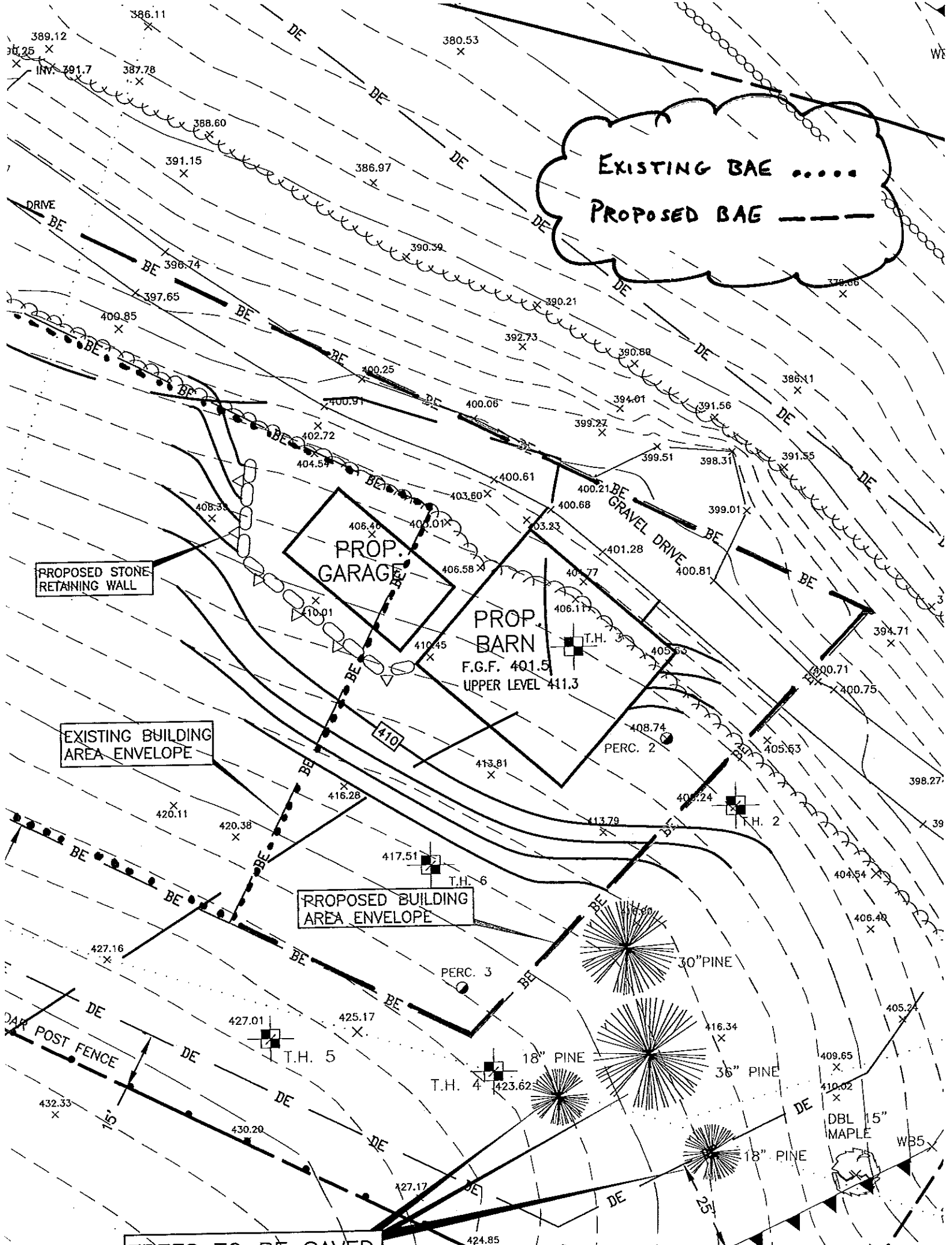
#4
7 SQ.FT.
AC.



N/F LAND OF
ESTATE OF ROSALIE N. VE

N/F LAND OF
BOYLE & DUFFY
108 CRANE HILL ROAD

30' TEMPORARY STORM FLOOD



EXISTING BAE
PROPOSED BAG ----

PROPOSED STONE
RETAINING WALL

EXISTING BUILDING
AREA ENVELOPE

PROPOSED BUILDING
AREA ENVELOPE

PROP.
GARAGE

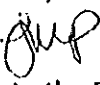
PROP.
BARN

F.G.F. 401.5
UPPER LEVEL 411.3

TREES TO BE SAVED

TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Date: February 2, 2011 
Subject: Potential Revisions to the Pleasant Valley Residence/Agriculture (PVRA) and Pleasant Valley Commercial/Agriculture Regulations

Attached for your review and discussion at the February 6, 2012 meeting is a series of potential regulation changes for the PVRA and PVCA zones. Proposed changes include:

- Reduction in the setback from Pleasant Valley Road from 500 feet to 200 feet
- Reduction in the maximum amount of prime agricultural soils that the Commission can require to be preserved for agricultural use from 50% to 40%
- Creation of a threshold for when submission of a conceptual master plan will be required
- Elimination of the minimum required lot size of 25 acres
- Changes to open space requirements for residential developments
- Ability for the Commission to increase allowable density for residential projects based on design and provision of affordable housing
- Allowing for development of a single family home and associated efficiency unit as a permitted uses on properties with agricultural easements.

I have also highlighted an area under general use requirements for your discussion. Currently the regulations require any change of use in the PVCA zone to obtain PZC approval. I think it would be helpful to discuss if this is needed for all changes in use, or only certain uses.

Once the Commission has discussed the proposed changes, revisions will be prepared and resubmitted for your February 20, 2012 meeting, when the Commission can vote on whether to move forward and schedule a public hearing on the proposed changes.

Potential Changes to Pleasant Valley Residence/Agriculture (PVRA) and Pleasant Valley Commercial/Agriculture (PVCA) Regulations

Draft: February 2, 2012

Article VII: Permitted Uses

For highlighted section below, does the Commission want to require all changes in use in the PVCA to obtain PZC approval, or only changes of certain types, i.e. research/development type uses?

Section A: General

* * * * *

4. With the exception of all uses in the Pleasant Valley Commercial/Agriculture Zone or Research and Development/Limited Industrial Zone (see provisions below), changes in the use of an existing structure or lot may be authorized by the Zoning Agent through the issuance of a Certificate of Compliance provided the new use is included in the same permitted use category as the previous use and provided all other applicable provisions of these regulations are met. In the Pleasant Valley Commercial/Agriculture Zone and Research and Development/Limited Industrial Zones, all changes in use from that described and approved in previous permit submissions, or from that established prior to zoning approval provisions, require the submission of a revised statement of use and Planning and Zoning Commission review and approval. The Commission shall have the right to approve the proposed change in use without the submission of a new application. However, where the proposed change in use is considered to be a significant alteration of the previous use with potential impacts that have not been reviewed, the Commission shall require the submission and processing of a new application as per the requirements for establishing a new use on a site.

Where questions arise regarding changes in use and permit requirements, the Planning and Zoning Commission shall determine whether a proposal constitutes a change in use and the appropriate permit requirements.

* * * * *

Section K: Uses Permitted in the PVRA (Pleasant Valley Residence/Agriculture) Zone (Land South of Pleasant Valley Road and west of Mansfield City Road)

1. Intent

The PVRA has been established with special provisions for a distinct area of Mansfield located south of Pleasant Valley Road and west of Mansfield City Road. This area has been zoned for decades for industrial, commercial and/or residential use, but has remained primarily agricultural. The area is no longer considered appropriate for industrial and non-agricultural commercial use due to special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, medium to high density multi-family housing is considered an appropriate use for portions of this district, but only if designed, constructed, and utilized in a manner compatible with other Plan of Conservation and Development recommendations and neighborhood land uses. Accordingly, the PVRA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, to provide for affordable housing, and to address other important regulatory objectives.

2. General

The uses listed below in Sections K3 and K4 and associated site improvements are permitted in the PVRA zone, provided:

- a. Any special requirements associated with a particular use are met;

- b. Except as noted below, all uses permitted in the PVRA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted agricultural uses provided it is documented to the Commission's satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
- c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met; and
- d. With the exception of those uses included in K.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

3. Categories of Permitted Uses in the Pleasant Valley Residence/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B. and Applicable Provisions of Article X, Section A.
 - a. Two family and multi-family dwellings in accordance with the standards contained in Article X, Section A.
 - b. Single Family dwellings, provided the dwellings are directly associated with a multi-family housing development and specifically authorized by the Commission due to specialized situations where site characteristics limit the ability to appropriately locate two-family or multi-family dwellings. All applicable provisions of Article X, Section A shall be met.
 - c. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards are required of Article X, Section T are met;
 - d. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations), provided special permit approval is obtained in accordance with Article V, Section B;
 - e. State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D;
 - f. Accessory commercial uses, such as a laundry or recreational facility, conducted primarily for the convenience of residents of an approved residential project, provided the use is located within a building.
4. Uses Which May be Authorized in the Pleasant Valley Residence/Agriculture Zone by the Zoning Agent:
 - a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article X, Sections T are met;
 - b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.
 - c. One Single-Family dwelling with one efficiency dwelling unit, provided the units are associated with and on the same lot as a permitted agricultural use and provided all requirements of Article X, Section L are met with the exception of the need for special permit approval.

* * * * *

Section U: Uses Permitted in the PVCA (Pleasant Valley Commercial/Agriculture) Zone (Land South of Pleasant Valley Road and east of Mansfield Avenue)

1. Intent

The PVCA zone has been established with special provisions for a distinct area of Mansfield located south of Pleasant Valley Road between Mansfield Avenue and the Flood Hazard Zone containing Conantville Brook. This area has been zoned for decades for intensive industrial and commercial use, but it has remained primarily agricultural. This area is no longer considered appropriate for intensive industrial and commercial use due to access limitations, special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site

visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, some lower intensity industrial and commercial uses are considered appropriate for portions of this district, but only if designed, constructed, and utilized in a manner compatible with Plan of Conservation and Development recommendations and neighboring land uses. Accordingly, the PVCA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, and to address other important regulatory objectives.

2. General

The uses listed below in Sections U3 and U4 and associated site improvements are permitted in the PVCA zone, provided:

- a. Any special requirements associated with a particular use are met;
- b. Except as noted below, all uses permitted in the PVCA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted uses provided it is documented to the Commission's satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
- c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met: and
- d. With the exception of those uses included in U.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements. All changes in use in the PVCD-PVCA zone require Planning and Zoning Commission approval in accordance with the provisions of Article VII, Section A.4.

3. Categories of Permitted Uses in the Pleasant Valley Commercial/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B. and Applicable Provisions of Article X. Section A.

- a. Research and development laboratories and related facilities and the production, processing, assembly and distribution of prototype or specialized products which require a high degree of scientific input and on site technical supervision. Specialized products that may be authorized include but shall not be limited to the following: precision mechanical and electronic equipment; business machines; computer components; optical products; medical, dental and scientific supplies and apparatus; and precision instruments;

All genetic or bio-engineering research or development activities and the creation of biogenetic products are limited to those permitted in bio-safety level 1 and 2 (BL-1 and BL-2) laboratories as per the current "Guidelines" of the National Institutes of Health regarding research involving recombinant DNA molecules. The keeping and utilization of small animals for scientific purposes is authorized, provided the animals are kept in an enclosed portion of a building located on the subject lot or in areas specifically approved by the Planning and Zoning Commission;

- b. Commercial printing and reproduction services and the industrial production, processing, assembly and/or distribution of products not specified in Section 3a above, provided the nature, size and intensity of the proposed use complies with environmental, traffic safety, neighborhood impact and all other special permit approval criteria;
- c. Business and Professional Offices;
- d. Repair services for electronic and mechanical equipment, office equipment, home appliances, bicycles and recreational equipment and similar uses;

- e. Commercial recreation facilities, such as tennis clubs and physical fitness centers;
 - f. Radio, television and other communication facilities but excluding communication towers or other structures that exceed the maximum height provisions for the PVCA zone;
 - g. Veterinary hospitals and commercial kennels boarding or breeding two or more animals provided potential noise impacts are addressed in association with the required Special Permit application;
 - h. Repair services for agricultural and commercial vehicles, machinery and equipment and automobile and truck repair services but auto salvage operations are not permitted;
 - i. State licensed group daycare homes or state licensed childcare centers as defined by State Statutes;
 - j. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards and requirements of Article X, Section T are met;
 - k. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations).
 - l. Accessory retail sales and accessory storage and warehousing for any permitted use authorized within Section 3.
4. **Uses Which May be Authorized in the Pleasant Valley Commercial/Agriculture Zone by the Zoning Agent:**
- a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article X, Sections T are met;
 - b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.
 - c. One Single-Family dwelling with one efficiency dwelling unit, provided the units are associated with and on the same lot as a permitted agricultural use and provided all requirements of Article X, Section L are met with the exception of the need for special permit approval.
 - e.d. Accessory cafeterias or retail shops conducted primarily for the convenience of employees, provided the use is located within a building and there are no advertising or exterior displays.

* * * * *

Article Eight: Schedule of Dimensional Requirements

ZONE	MINIMUM LOT AREA/ACRES See Notes (3) (4) (18)	MINIMUM LOT FRONTAGE/FT See Notes (4)(6)(7)(13)(16)	MIN. FRONT SETBACK LINE (IN FEET) See Notes (4)(8)(9)(15)(16)(17)(21)	MIN. SIDE SETBACK LINE (IN FEET) See Notes (4)(10)(11)(15)(16)(17)(21)	MIN. REAR SETBACK LINE (IN FEET) See Note (4)(15)(16)(17)(21)	MAXIMUM HEIGHT See Note (14)	MAXIMUM BUILDING GROUND COVERAGE
PVRA, PVCA: SEE NOTE (1)	25 ACRES <u>See Note 5</u>	200	See footnote 17 <u>200</u>	See footnote 17 <u>50</u>	See footnote 17 <u>50</u>	40	25%

Notes Schedule of Dimensional Requirements

Only notes that may pertain to the PVRA and PVCA zones are shown here for reference purposes.

- See Article X, Section A for Special Design Development District requirements, including minimum acreage required to establish a new zone.

* * * * *

- Larger lots may be required in areas with inland wetland soils and watercourses, visible ledge or steep slopes. See Article VIII, Section B.5.
- Special provisions apply to non-conforming lots of record. See Article VIII, Section B.
- No minimum lot area has been designated for this zone. The required lot area shall be governed by the required setbacks, parking and loading areas and other provisions of these Regulations.
- The minimum lot frontage shall be continuous and uninterrupted along a street line. In residential zones, corner lots situated at the junction of two or more streets shall be required to have the minimum frontage along all abutting streets.
- Where the front lot line is an arc or the sidelines converge toward the front lot line, the required frontage shall be measured along the front setback line, which shall be parallel to the street line.
- All setbacks from the front lot line shall be measured in accordance with the provisions of Article VIII, Section 7 (Highway Clearance Setback).
- On lots abutting more than one street, the minimum setback from the front lot line shall be required along all streets.
- Lot lines on corner lots which abut side lot lines of adjacent lots shall be considered side lot lines and applicable side lot line setback shall be met.
- All development on lots that adjoin a residential zone having greater side lot line setbacks shall comply with the side lot line setbacks of the adjacent residential zone.

* * * * *

- Lot frontage requirements for business and residential uses within specified zones may be waived by the Planning and Zoning Commission for private roads, provided special permit approval is obtained (see Article VIII, Section B.3.d).
- A maximum height of 45 (forty-five) feet may be applied per Article X, Section G.3, Height of Buildings.
- Whenever a right-of-way exists for a future street, all new buildings, structures and site improvements shall, with respect to the right-of-way, meet the minimum setbacks from front lot lines as if the right-of-way included an existing street.

16. Special frontage and setback provisions may apply to subdivision lots and associated building area envelopes approved after February 20, 2002. See Article VIII, Section B.5 and applicable provisions of Mansfield's Subdivision Regulations.
 17. Special setback provisions apply for all buildings, structures and site improvements approved after June 1, 2004 that are located within a designated Design Development District (see Article X, Section A.4.d).
 18. For all subdivision lots in the R-90 and RAR-90 zones approved after June 1, 2006, the Planning and Zoning Commission shall have the right to authorize or require the minimum acreage for each new subdivision lot to be reduced to less than 90,000 square feet in size. (See Article VIII, Section B.6.b and applicable provisions of Mansfield's Subdivision Regulations.)
- * * * * *
21. The Planning and Zoning Commission shall have the authority to reduce or increase front, side and/or rear setback line requirements for properties within one of the ten (10) historic village areas identified in Article X, Section J. Setback reductions or increases shall only be approved or required where the reduction or increase in setback is considered necessary to address the special historic village area review criteria contained in Article X, Section J.2.

Article Ten: Special Regulations

* * * * *

9. Special Provisions for the Pleasant Valley Residence/Agriculture (PVRA) zone

a. Water and Sewer Facilities

Except as noted below, all proposed developments in the PVRA zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

b. Agricultural Land Preservation Requirements

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to ~~fifty-fourty~~ (5040) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than ~~fifty-fourty~~ (5040) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as "prime agricultural" by the Natural Resources Conservation Service. The Commission shall have final approval of the ~~The location of the agricultural acreage to be preserved shall be determined by the Commission, and may be on other land under the control of the applicant.~~ All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land, including other land in the Pleasant Valley area under the control of the applicant. The following criteria shall be used to identify agricultural land for preservation: that will retain whether the land will retain agricultural value, whether the agricultural use of the land would complement existing and proposed land uses and whether the agricultural use of the land would enhance adjacent and nearby

agricultural land. Based on information reviewed prior to the adoption of this regulation, the following area should be considered a priority for agricultural land preservation:

- Land immediately south of Pleasant Valley Road between Mansfield City Road and the Flood Hazard Zone containing Conantville Brook.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. ~~In addition, While not required,~~ the Commission shall have the authority to recommend and facilitate the transferral of agricultural land to be transferred in title to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission. Additionally, to encourage active farming of the preserved agricultural land, the Commission shall allow the construction of a single family home on one (1) acre within each separate agricultural easement area. Efficiency units shall also be permitted in conjunction with the single family home in accordance with the requirements of Article X, Section L.

c. Compliance with provisions for the Design Multiple Residence Zone (See Article X. Section A.6)

All proposed developments in the PVRA zone shall comply with the density, building height, floor area, distance between structures, parking, courtyards, and housing units mix and affordable housing provisions for the Design Multiple Residence Zone (see Article X. Section A.6.). Additional density will be considered based on the proposed development plan and provision of affordable housing.

d. Student Housing Restrictions

Housing designed primarily for student occupancy shall not be authorized in this district due to potential neighborhood compatibility issues.

e. Age Restricted Housing

Due to the proximity of commercial and health care services in southern Mansfield and the adjacent Town of Windham and due to the physical characteristics of the Pleasant Valley Residence Agriculture Zone, ~~the Commission encourages~~ Age Restricted Housing developments are specifically allowed within this district. For age restricted developments the special density and floor area provisions for the Age Restricted Housing Zone shall apply (see Article X. Section A.5.b. and i.).

f. Open Space/Recreation Facilities

~~The Commission shall have the authority to require appropriate open space and recreation facilities for all residential developments. The size and location of any required open space and the degree of any required improvement shall take into account the size and location of the agricultural land to be preserved pursuant to subsection 9.b. (above) and the size and nature of the residential development. In situations where the agricultural land preservation requirements of Section 9.b (above) have been addressed suitably, any additional acreage that may be required to meet this provision shall be limited to acreage needed to provide specific recreational improvements. As a general guide, for developments with fifty (50) or more dwelling units, the Commission may require multi-use ball fields, tennis courts, and/or playgrounds. For smaller projects, trails, garden areas, and multi-use lawn areas may be considered adequate to meet this requirement. Detailed plans and specifications for proposed or required open space and recreational improvements shall be shown on project plans. Whenever possible and appropriate, active recreational facilities shall be screened from residences, driveways, streets, and parking areas. At least 600 square feet of open space and/or recreational area shall be required for each dwelling unit in the proposed development. This requirement may be satisfied through the preservation of agricultural land pursuant to subsection 9(b). If the area preserved for agricultural use meets or exceeds the minimum open space requirement per dwelling unit, no additional open space or recreational facilities shall be required other than the open space provided through building separation and site landscaping regulations.~~

g. PVRA Design Criteria

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Residence Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Residence Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan when a proposed development would result in the division or resubdivision of a tract or parcel of land existing at the time these regulations were adopted into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development, excluding development for municipal, conservation or agricultural purposes. When required, the conceptual master plan shall be submitted in association with a pending special permit or subdivision application and shall include:

a. Areas under common ownership at the time these regulations were adopted. If the application includes a resubdivision as described above, the plan shall address how the proposed development will be compatible with development on the lot previously divided;

b. ~~{depicting~~ Depiction of future parcels, buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components) ~~and; and~~

c. ~~a~~ Associated design guidelines for the entire area.

~~When required, this information shall be submitted in association with a pending special permit application. The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.~~

2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of ~~five-two~~ hundred (500~~200~~) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 9.b) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.
3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;
4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

10. Special Provisions for the Pleasant Valley Commercial/Agriculture (PVCA) Zone

a. Water and Sewer Facilities

Except as noted below, all proposed developments in the PVCA zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate

of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

b. Building Height Requirements

No building shall exceed three stories or a height of 40 feet.

c. Distance Between Structures

Except as noted below, the distance between any two structures shall be no less than fifty (50) feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

d. Courtyards

Except as noted below, courts enclosed on all sides shall not be permitted and no open court shall have a length or width less than fifty (50) feet. The Commission may vary these requirements when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

e. Parking

Required parking spaces shall not be allowed on any street or internal roadway and shall be set back a minimum of 10 feet from principal buildings. All spaces shall comply with the parking provisions of Article X, Section D and other dimensional requirements of these Regulations.

f. Agricultural Land Preservation Requirements

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to ~~fifty-fourty~~ (5040) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than ~~fifty-fourty~~ (5040) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as "prime agricultural" by the Natural Resources Conservation Service. The Commission shall have final approval of the location of the agricultural acreage to be preserved shall be determined by the Commission and may be on other land under the control of the applicant. All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land, including other land under the control of the applicant. The following criteria shall be used to identify agricultural land for preservation: whether the land that will retain agricultural value, whether the agricultural use of the land would complement existing and proposed land uses and whether the agricultural use of the land would enhance adjacent and nearby agricultural land. Based on information reviewed prior to the adoption of this regulation, the following area should be considered a priority for agricultural land preservation:

- Land immediately south of Pleasant Valley Road.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. In addition, the Commission shall have the authority to recommend and facilitate the transfer of agricultural land in title to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission. Additionally, to encourage active farming of the preserved agricultural land, the Commission shall allow the construction of a single family home on one (1) acre within each separate agricultural

easement area. Efficiency units shall also be permitted in conjunction with the single family home in accordance with the requirements of Article X, Section L.

g. PVCA Design Criteria

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Commercial Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Residence-Commercial Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan when a proposed development would result in the division or resubdivision of a tract or parcel of land existing at the time these regulations were adopted into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development, excluding development for municipal, conservation or agricultural purposes. When required, the conceptual master plan shall be submitted in association with a pending special permit or subdivision application and shall include:

a. Areas under common ownership at the time these regulations were adopted. If the application includes a resubdivision as described above, the plan shall address how the proposed development will be compatible with development on the lot previously divided;

b. ~~(depicting Depiction of~~ future parcels, buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components) and; and

c. ~~a~~Associated design guidelines for the entire area.

~~When required, this information shall be submitted in association with a pending special permit application. The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.~~

2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of five-two hundred (500200) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 10.f) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.
3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;
4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

P.O. Box 4295, Burlington, VT 05406 -- www.plannersweb.com
pcjoffice@gmail.com -- Ph: 802-864-9083 -- FAX: 802-862-1882

Planning Office
Town of Mansfield
4 South Eagleville Rd.
Mansfield, CT 06268

It is with deep regret that I have to report that after 20 years in business, the *Planning Commissioners Journal* will be ceasing publication this Spring. Unfortunately, the long economic recession and the impact it has had on municipalities -- who make up over 90 percent of our subscription base -- has left us in a position where it is simply not economically feasible to continue publication.

PLANNING COMMISSIONERS

Journal

NEWS & ECONOMICS AND LOCAL PLANNING

Strengthening Local Economies

The Road From Gas Pile

Commissioners
 Vol. 16, No. 4
 December 1989

Local Planning
 For Small Town
 Economy
 By David L. Brown
 University of Utah

Gas Pile
 To Be Reborn
 By David L. Brown
 University of Utah

Programs
 For
 Big World
 By David L. Brown
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Planning's
Community Outlook
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PLANNING COMMISSIONERS JOURNAL, Vol. 16, No. 4, December 1989

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email: PlanZoneDept@mansfieldct.org



You'll note on the other enclosed insert that we are about to release an updated version of our best-selling publication, *Welcome to the Commission: A Guide for New Members*. In addition to "Tips for New Commissioners" and "The Planning Universe," the revised edition will include planning historian Laurence Gerckens' fascinating *Planning ABC's* -- an alphabetic overview of 26 key planning topics. Order today, as pre-order pricing is guaranteed only through March 15, 2012.

We appreciate the support we've received from our friends and subscribers.

Sincerely,

Wayne M. Miller

Wayne Senville, Publisher & Editor

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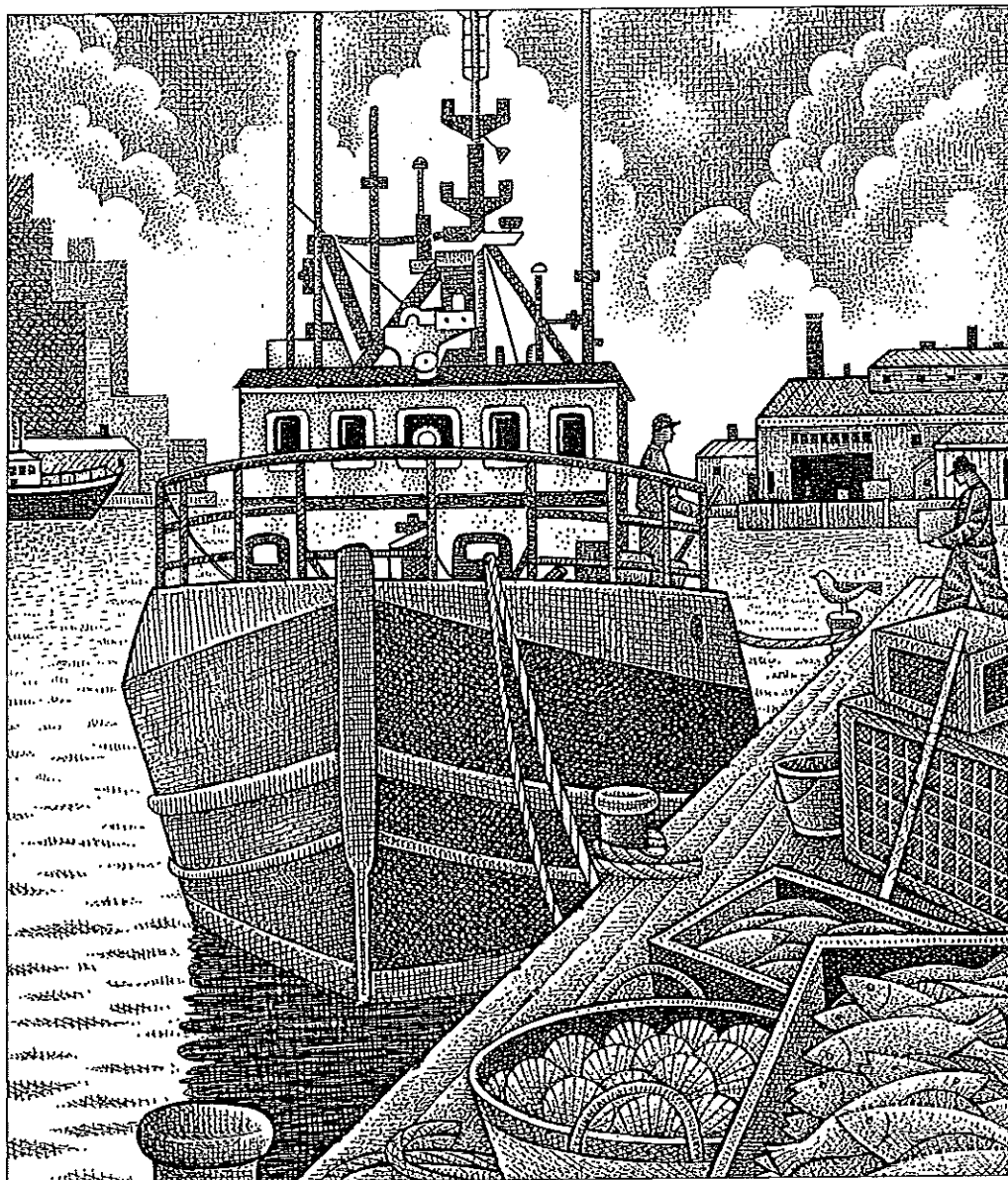
PLANNING
COMMISSIONERS

Journal

NEWS & INFORMATION FOR CITIZEN PLANNERS

Strengthening Local Economies

THE ROLE FOOD CAN PLAY



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Food Planning for Your Local Economy

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It's Cool to Be Square

Public squares can help make our downtowns more livable.

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What Are You Guys Doing to Fix It?

How to avoid being sideswiped by a future we didn't see coming.

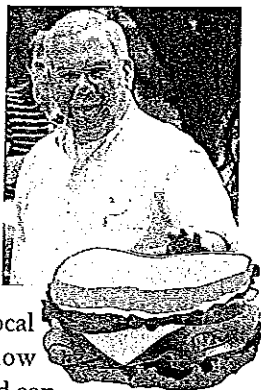
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Speak Clearly and Carry a Big BLT

Apologies to Teddy Roosevelt for making some minor adjustments to his famous "Speak Softly and Carry a Big Stick" line, but the changes were needed to highlight two articles you'll be reading in our Winter issue.

First of all, when we (as citizen or professional planners) speak, we need to speak clearly. That's the gist of Dave Stauffer's article on "plannerisms" – those jargony words or phrases that are often not understandable to the public, or that simply don't have a clear meaning. Examples Dave cite include the terms "sprawl" and "smart growth." You'll also find a sampling of "plannerisms" nominated by those of you who reviewed Dave's draft on our Planners Web blog or via our LinkedIn group page.

Perhaps "and carry a big BLT" needs a bit more of an explanation. Inside this issue, you'll find a quite interesting article by two young Boston planners. Their focus is on food and the powerful impact it can have on the local economy. So what in the world does this have to do with a BLT? One of the projects they'll fill you in on is how Boston has worked to promote mobile food vendors – and some of the planning related issues involved in this. But the image that sticks in my mind is of Boston Mayor Thomas Menino munching on what he thought was a terrific BLT from a local food truck – and how this experience helped convert him to the cause of healthy food, sold



by mobile food vendors.

The bottom line: give local food a chance, even if it's not a real BLT! ♦

Wayne M. Senville
Wayne M. Senville,
Editor



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by Hannah Twaddell

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by Della Rucker, AICP, CEC

About the need to think ahead, anticipate consequences, and identify blind spots so we aren't sideswiped by a future we didn't see coming.

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E-mail: pcjoffice@gmail.com

PlannersWeb.com

Publisher & Editor

Wayne M. Senville
Burlington, Vermont

Manager

Elizabeth M. Krumholz
Burlington, Vermont

Assistant Editor

Larry Pflueger
Clearwater, Florida

PCJ Contributing Writers

Carolyn Braun, AICP
Anoka, Minnesota

Jim Segedy, FAICP

Lisa Hollingsworth-Segedy, AICP

Wendy Grey, AICP
Tallahassee, Florida

Pittsburgh, Pennsylvania

Gwendolyn Hallsmith
Montpelier, Vermont

Dave Stauffer
Red Lodge, Montana

Beth Humstone
Portland, Maine

Ric Stephens
Beaverton, Oregon

Della Rucker, AICP, CEC
Cincinnati, Ohio

Hannah Twaddell
Charlottesville, Virginia

Design

Ned Corbett
Ferrisburgh, Vermont

Cover Illustration

Paul Hoffman
Greenfield, Massachusetts

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A Road for Every Mode

THE COMPLETE STREETS CONCEPT

by Hannah Twaddell

COMPLETE STREETS POLICIES

Complete streets policies, ranging from one-page directives to sophisticated design guidelines, are increasingly popular tools for building truly multimodal transportation systems. Regardless of its level of complexity, the purpose of a complete streets policy is to change the transportation decision-making and design process so that roadway planners and engineers will “routinely design and operate the entire right-of-way to enable safe access for all users, regardless of age, ability, or mode of transportation.”¹



The big change here is not so much that we plan and design networks for non-drivers, but that we routinely consider all travelers in roadway planning and project development. American communities develop lots of plans and projects for bicyclists, pedestrians, transit riders, and drivers. Too often, however, we don't do a very good job of coordinating these plans. As a result, many of our modal systems are disconnected and inefficient. Considering the needs of all potential users every time we develop a roadway plan or project helps us to make better mental – and ultimately physical – connections.

Complete streets policies are typically developed by community leaders, often

1 “What Are Complete Streets?” (National Complete Streets Coalition); <www.completestreets.org/complete-streets-fundamentals/complete-streets-faq/>.

at the urging of their constituents, for adoption by municipal councils, regional planning bodies, or state legislatures. The National Complete Streets Coalition (NCSC) website has made more than 300 state and local complete streets policies accessible on an interactive Google-map atlas.

Many of the policies in the NCSC atlas take the form of relatively simple resolutions of support. Others include specific legislation, ordinances, or design guidance for public decision-making and/or agency protocols.² One way or another, all complete streets policies publicly assert the commitment of a community, state, or agency to creating a multi-modal transportation network. They give a green light (pun intended) for engineers to give equal weight to all users in considering the design of a roadway project or system.

Having an established policy is “essential,” say national experts John LaPlante and Barbara McCann, “if disputes arise over projects using the new paradigm. Engineers empowered by this clear direction from their leadership often tackle the new problem of multimodal accommodation with gusto, using problem-solving skills and trying innovative treatments.”³

TAKING THE NEXT STEP – COMPLETE STREET NETWORKS

Planning techniques and advocacy groups for different travel modes aren't the only things that have evolved separately over the past century. Many suburban communities and newer cities have, over the years, separated houses from

continued on next page

2 “Atlas of Complete Streets Policies” (National Complete Streets Coalition).

3 “Complete Streets in the United States,” by John LaPlante and Barbara McCann (TRB Annual Conference, January 2011); <<http://amonline.trb.org/12jlnh/1>>.

Over the past 140 years or so, American advocacy groups and engineering techniques for each type of roadway user have evolved separately. Our nation's paved roadways were initially designed (and sometimes paid for) by 19th century bicyclists. But their voices were lost during the subsequent era of auto-dominated highway building.

Around the 1970s, bicyclists began gearing up once more to lobby for better “bike/ped” (ped = pedestrian) facilities. Public transit promoters also raised their voices, as did advocates for people with disabilities and older adults. The complete streets movement, born in the late 1990s, provides a forum for all of these modal advocates to join forces with transportation engineers, planners, and community leaders in an effort to create truly multimodal networks for 21st century travelers.

What Are Complete Streets?

Complete streets are roadways designed to be safe for everyone who uses them. In many places, especially in towns and cities, this can be quite a diverse group of folks. Roadway users may include drivers and passengers in cars, buses, delivery vans, 18-wheelers, and golf carts; fast-moving bicyclists who prefer riding in traffic; slower-moving cyclists (including children) who don't want to ride near traffic; and pedestrians of all ages and abilities, including people handling wheelchairs or walkers; riding skateboards, roller blades, or Segways; pushing baby strollers; and, oh yes, walking.

Could most streets be designed to support all these types of travelers? Yes. Should every street be designed this way? No. The complete streets concept is not about trying to make each and every road in a community serve all possible users. But it does aim to make sure all travelers, regardless of their choice of travel mode, can get where they need to go.





Complete Streets & Quality of Life

For our aging population, complete streets policies make sense. Take a look, for example, at what one chapter of AARP recently had to say:

"AARP Vermont, in partnership with organizations across the state, worked in 2011 to pass Complete Streets legislation to make roads safer and more accessible for all Vermonters. ... Complete Streets policies ensure that state and local transportation agencies routinely design and operate the right of way to enable safe access for everyone on the road. Complete Streets guidelines make transportation planners think about how people can access the community without a car. ...

AARP supports Complete Streets because as people get older they drive less or hang up the keys altogether. This life change can mean a lower quality of life, less independence, and isolation if alternative ways of getting around are not available. But there are many other reasons to support Complete Streets. Public health advocates support development of safe places to exercise as a way to combat obesity and chronic disease. Safe alternatives to driving can reduce our carbon footprint and promote livable communities that follow smart growth land use patterns. And for everyone young and old who is riding a bike or walking, safety on the road is a top concern."

Editor's Note: The AARP Vermont information is available at: www.blcp.org/about/complete-streets. Take a look also at *Planning Complete Streets for An Aging America*, a 2009 AARP report that Hannah Twaddell helped develop. It can be found at: www.aarp.org [type: "Planning Complete Streets" in AARP Search box].



The National Complete Streets Coalition

The NCSC is an excellent source of information on complete streets policies. For planning commissioners and local officials interested in learning more about complete streets, a great starting point is their web site: www.completestreets.org.

A Road for Every Mode...

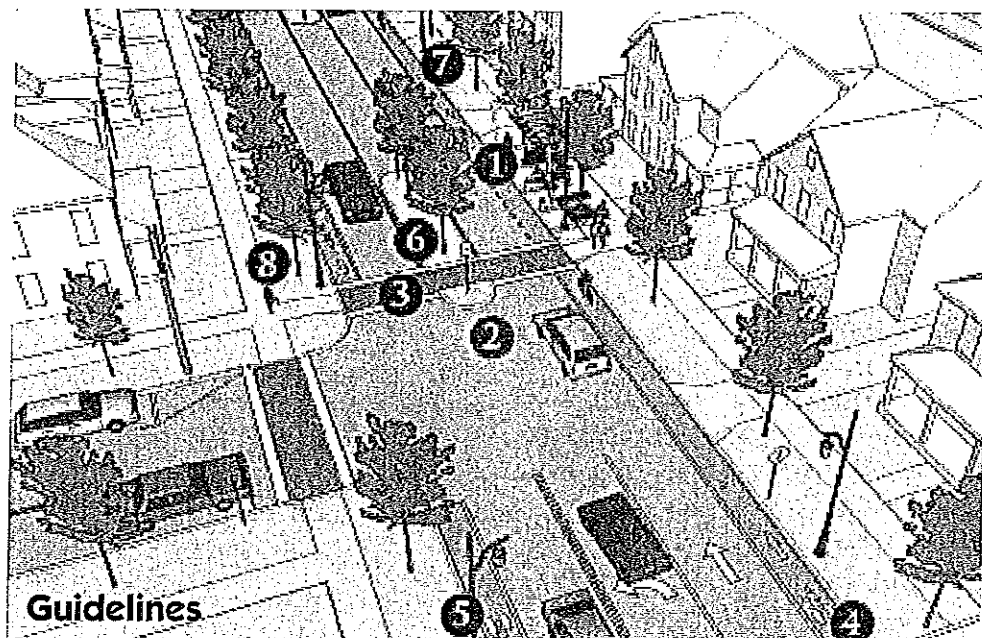
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jobs, shops, and urban activity centers, connecting them with a few major arterial highways and a miscellany of local streets that often end at the "bottom of the bag" (known in French as the "cul-de-sac"). Suburban transportation planning is largely a matter of trying to eliminate – or at least slow down – through traffic on local streets, and trying to deal with the congestion that

results from forcing people to drive on main arterials for nearly every trip, no matter how short.

A complete street network, scaled to fit the community it serves, provides a cohesive framework that helps the community to provide public services in a highly efficient way and to adapt to change without losing its core identity.

"Planning Urban Roadway Systems," a new report from the Institute for Transportation Engineers (www.ite.org),



Burlington, Vermont, is one of a growing number of communities incorporating complete streets concepts into local transportation planning policies. The text that follows and the illustration above (prepared by ORW Landscape Architects and Planners) is from the Burlington Street Design Guidelines.

1. **Curbside transit stop.** On the complete street, buses pull up to the curb. Stops employ a variety of complementary streetscape elements that enhance patron comfort and contribute to the ambience of the street.
2. **Traffic calming.** By placing this road on a "diet," one full lane of traffic has been eliminated and replaced with bike lanes and landscaped median islands. Textured crosswalks and enhanced street tree

plantings contribute to slowing motorists

3. **Short pedestrian crossings.** Refuge islands allow pedestrians to cross the street one lane at a time, breaking what was once a 40' four-lane crossing into two 15' jaunts with a rest in between.
4. **Bike lanes.** Dedicated bike lanes move bicyclists off the sidewalk. High-visibility striping and lane painting make drivers aware that bikers are a part of the traffic mix and will improve safety and convenience for all.
5. **Updated utilities and lighting.** Utilities are placed underground, eliminating the need for unsightly poles and wires. Cobra head fixtures are replaced by ornamental luminaires and poles.

6. **Landscaped median island and turn lane.** Landscaped islands can alternate with left turn lanes, where left turns are necessary. The benefits gained include increased greenery, shorter road crossings, reduced traffic speed, and predictable lane usage by vehicles.

7. **Stormwater treatment.** Stormwater planters collect runoff from roadway surfaces, using plants and soil to slow, absorb, and cleanse stormwater before it enters municipal storm sewers.

8. **Tree Belts.** Tree belts provide a buffer between cars and pedestrians, a visual amenity, snow storage (in northern climes), and a place for trees in the city.

presents a holistic view of how plans for all types of streets, corridors, and networks can be “layered” together to shape a multi-modal system that fits local community contexts. Another useful new resource for planning and designing complete street networks is the *Los Angeles County Model Design Manual for Living Streets*, published in October 2011. (www.modelstreetdesignmanual.com) The manual addresses principles used to design streets for people of all ages and physical abilities and accommodate all travel modes.

Any community – regardless of its size or the complexity of its transportation system – can realize three major benefits from well-connected complete street networks: shorter trips; a wider variety of travel choices; and more cost-effective public services and infrastructure.

- **Shorter trips.** Creating more direct connections shortens travel time, which effectively brings people closer to their destinations. With more available connections, residents can get to local stores and activities that may have simply been off their radar before – not because they were too far away, but because they were too far out of the way.

- **A wider variety of travel choices.** By developing networks of complete streets, communities provide not only more travel routes, but also more travel choices. A broader array of routes helps to spread traffic more efficiently than bunching all vehicles onto a few corridors. Providing bicycle, pedestrian, and transit options improves the overall mobility of the general population. The combination of alternative routes and modes can help to reduce traffic congestion by allowing people to drive on lower-speed local streets or choose to leave their car at home rather than using overworked arterials for short trips.

- **More cost-effective public services and infrastructure.** Greater street connectivity also allows public service providers, such as firefighters and police, to save precious minutes reaching the scene of an emergency by providing a variety of alternative routes. When complemented with more efficient development

patterns, connected streets also allow them to serve a broader area without having to build expensive satellite stations or patrol larger land areas. Other public service vehicles, from school buses to trash collection trucks, also operate more efficiently on connected street networks.

SUMMING UP: FIVE PATHWAYS TO COMPLETE STREETS

Below are five steps that a community can take to advance complete, multi-modal networks:

1. Find opportunities to explore complete streets concepts with your community, such as working with state and regional agencies to include complete streets concepts into a corridor study or a transportation system plan, or inviting the National Complete Streets Coalition to conduct an on-site workshop for your town.

2. Adopt a complete streets policy that specifically addresses ways in which you will routinely consider the needs of all travelers in all transportation projects and plans.

3. Promote multi-modal street design techniques through ordinances and guidelines.

4. Develop a five-fold network plan that lays out coordinated, complementary routes for automobile drivers, truck drivers, transit riders, bicyclists and pedestrians; and

5. Create a system of “living streets” by integrating transportation planning with community development to make your corridors the foundation – literally and figuratively – for vibrant, attractive, sustainable neighborhoods and town centers. ♦

Hannah Twaddell is principal of Twaddell Associates, LLC, a consulting practice specializing in community planning, public engagement, facilitation, and education. Based in Charlottesville, Virginia, the firm provides planning, facilitation, and educational services to communities, government agencies, and private organizations across the U.S.



Are Complete Streets Incomplete?

That's the title of an excellent posting by Gary Toth available on Project for Public Spaces' web site: www.pps.org/blog/are-complete-streets-incomplete/. Toth, you may recall, co-authored with Hannah Twaddell “Transportation Planning for Livable Communities” in our Fall 2010 issue.

Toth highlights the importance of thinking about streets as public places. As he explains: “The road, the parking lot, the transit terminal – these places can serve more than one mode (cars) and more than one purpose (movement). Sidewalks are the urban arterials of cities. Make them wide, well lit, stylish, and accommodating. Give them benches, outdoor cafés, and public art. Roads can be shared spaces, with pedestrian refuges, bike lanes, and on-street parking. Parking lots can become public markets on weekends. Even major urban arterials can be designed to provide for dedicated bus lanes, well-designed bus stops that serve as gathering places, and multi-modal facilities for bus rapid transit or other forms of travel.”

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Food Planning for Your Local Economy

by Diana Limbach Lempel and Christina DiLisio

While most of us don't consider ourselves food planners, think about the ways food affects what we do every day:

- Healthy food is essential for preventing obesity and diabetes, and helping kids do well in school.
- Urban agriculture is an important tool for making our communities more resilient.
- Restaurants and markets can provide a vital source of income for new immigrants and the opportunity to build wealth.
- Aquaculture (seafood farming) and agriculture can offer good, working-class jobs in many cities and towns.

Most importantly, food is an important part of any local economy.

In the following pages, we'll be telling you about some exciting and effective initiatives in the Boston area that highlight the connection between local planning and food, specifically for the purpose of developing a more diverse, dynamic local economy. While Boston will be our focus, other towns, cities, and metropolitan areas across the country are embarking on comparable initiatives. We've included strategies for thinking about how you can take the lessons from Boston to your own community.

IN BOSTON, SEAFOOD SELLS

Seafood is part of what makes Boston, Boston. A visit to the city is not complete, for example, without a pilgrimage to Legal Seafood for a "chowdah" or lobster roll. "Boston seafood sells," say industry leaders, and in an urban economy to which tourism is essential, one can only imagine that it will continue to do so.

But Boston seafood is much more than restaurants, oyster bars, and clam shacks. Seafood is an industrial economy as much as it is commercial. The challenge is to keep the seafood industry

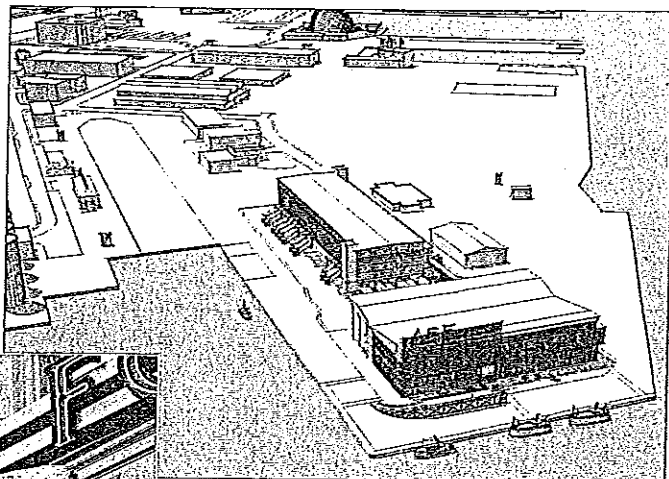
thriving despite pressures from retail and residential uses for precious waterfront land.

Planners at the Boston Redevelopment Authority (BRA), the city's planning and development agency, view maintaining a healthy seafood industry as an essential part of their job. The agency operates the 191-acre Boston Marine Industrial Park (BMIP), located on the South Boston Waterfront across the harbor from Logan Airport, much of which – along with adjacent state transit authority land – is devoted to seafood processing and distribution facilities.

In contrast to the all-too-familiar stories of the loss of industry in

Even in today's economic climate, Legal Seafoods has completed a new headquarters with 20,000 square feet of office space and 40,000 square feet for processing – plus a flagship restaurant in the district. Also in the works, the American Seafood Exchange, a planned 422,000 sq. ft seafood auction, storage, and packing facility that will make seafood the most powerful presence at the BMIP.¹

What are some of the factors that



Above: the planned American Seafood Exchange.



other older cities, the BMIP is a success story. The BMIP has received \$55 million in public infrastructure investments to leverage \$170 million in private investments.

Seafood is one of the most successful industries in the BMIP. According to Dennis Davis, BRA's Deputy Director for Industrial Development & Commercial Leasing, seafood processing jobs are especially stable and well-paid. Every 1,000 square feet of new seafood facility development produces an additional job.



have made the BMIP a success at maintaining and nurturing Boston's seafood industry? First of all, the district has great access to trucking and shipping routes, as well as to Logan Airport. Also important, the BRA has maintained large lots zoned for the single-floor, large-footprint buildings that seafood health regulations and processing systems require.

But these two factors would be of value for virtually any manufacturing or industrial use. What has really made the difference in main-

¹ Statistics from <www.bostonmarineindustrialpark.com/> and from Dennis Davis, personal email correspondence, 2011. Proposed plans suggest that the Seafood Exchange could, in fact, produce as many as 1,500 permanent jobs.



taining the seafood industry as a vital presence in Boston are provisions of the Massachusetts Public Waterfront Act – commonly referred to as Chapter 91.² For nearly 150 years, Chapter 91 has required waterfront properties to be used only for “water-dependent purposes.” Without this law, other forms of development might have become prevalent. But Chapter 91 has allowed Boston-area seafood businesses to invest with confidence.

The success of seafood processing and distribution facilities at the BMIP has led the BRA to think about other ways that seafood can play an important role in strengthening the local economy. One example: BRA planners are working on aquaculture initiatives that range from soft-shell clam farming off the coast of the Boston Harbor Islands to closed-system aquaculture facilities on city-owned brownfield sites. By utilizing contaminated properties and coastal waters, these initiatives could provide the city an opportunity not only to use land and natural resources efficiently and sustainably, but also to provide food and employment opportunities for local residents.

How can you support food industries that have had a long connection with your city or town? Start by understanding what products and crops have historically been produced in your region, and where. Then go on to:

- Determine the land and facility requirements of the industry.
- Consider whether zoning changes are needed to allow for the kinds of facilities and land uses the industry needs.
- Identify available land or resources that could allow for expansion.
- Advocate for state or local legislation to support your food industries.

² Available at: <www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter91>. The Massachusetts Department of Environmental Protection provides an overview of Chapter 91 at: <www.mass.gov/dep/water/resources/about01.htm>.

AROUND THE WORLD IN YOUR NEIGHBORHOOD

In Somerville, a dense city of roughly 80,000 people located minutes from Boston, small food businesses are an integral part of the local economy. These markets, restaurants, cafes, and bakeries have for many years served and been owned by members of the diverse immigrant communities – Irish, Brazilians, Bangladeshis, Peruvians, and Koreans, to name a few. Somerville residents love these small food businesses for their authentic cuisine and down-to-earth character.

In recent decades, however, city policies aimed at attracting artists and other young creative people have caused property values in many neighborhoods to rise. The result is that these small businesses are in jeopardy of being priced out of their neighborhoods altogether.

Enter the Somerville Arts Council, a city department whose mission extends beyond the arts to include promoting community development and cultural diversity. Their events, as Rachel Strutt, Program Manager for the Arts Council explains, “demystify” cuisines from around the world and encourage people to “open their wallets” and support local businesses so that they can stay afloat as their rents rise.

“Food is a great common denominator,” says Strutt, “it gets people from different ethnic backgrounds talking. ... We’ve found that food tells endless stories about cultural identity.” For example, the Arts Council hosts the blog “Nibble” (www.somervilleartscouncil.org/blog), which showcases recipes from around the world prepared by local home chefs and restaurateurs.

The hallmark of the Arts Council’s effort to promote cultural diversity in Somerville is ArtsUnion, a collaboration between the Council, the city’s Office of Strategic Planning and Community Development, the nonprofit Union Square Main Streets program, and other area nonprofit organizations. ArtsUnion’s programs are supported (when funding allows) by Massachusetts Cultural Council’s Adams Grant for Creative Economy.

Located in Somerville’s historic Union Square neighborhood, ArtsUnion offers a year-round schedule of events that prominently feature food as a medium for bringing people together. Many of these events are presented by independent “producers” who respond to requests for proposals each spring. ArtsUnion offerings have included tours to help new residents navigate the neighborhood’s ethnic markets, international street-food fairs, and Project YUM – a festival featuring local produce and ethnic restaurants. Union Square Main

continued on next page



Chowder Time!



The Oxford English Dictionary traces the word chowder to the fishing villages along the coast of France from Bordeaux to Brittany. But it was in Boston that chowder became famous.

The oldest-known printed fish chowder recipe appeared in the *Boston Evening Post* on September 23, 1751 –

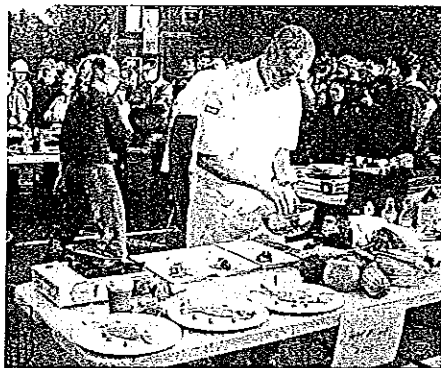
*First lay some Ontons to keep the Pork from burning
Because in Chouder there can be not turning;
Then lay some Pork in slices very thin,
Thus you in Chouder always must begin.
Next lay some Fish cut crossways very nice
Then season well with Pepper, Salt, and Spice;
Parsley, Sweet-Marjoram, Savory, and Thyme,
Then Biscuit next which must be soak'd some Time.
Thus your Foundation laid, you will be able
To raise a Chouder, high as Tower of Babel;
For by repeating o'er the Same again,
You may make a Chouder for a thousand men.
Last a Bottle of Claret, with Water eno; to smother 'em,
You'll have a Mess which some call Omntum gather 'em.
See <<http://whatscookingamerica.net/History/ChowderHistory.htm>>.*

Food Planning for Your Local Economy...

continued from previous page

Streets also hosts a weekly farmers' market, connecting residents with food growers, community organizations, and musicians.

ArtsUnion has helped put Union Square on the map as a destination for food and community. In the process, it has also generated substantial economic benefits for Somerville.³



Somerville scenes. From left to right: Iron Chef competition at Project YUM festival; Dipti Mistri, owner of Little India, talking to market tour goers about bitter melon; and employees from India Palace selling mango lassis at Hungry Tiger Street Festival.

How can you replicate something like the ArtsUnion in your city?

- Inventory your local food assets. In what ways is food already important in your community? Is there a neighborhood or part of the city where these assets cluster?
- Build personal relationships with individuals, businesses, and organizations that are part of that food culture so you know how to support them and can represent their strengths to the public.
- Identify opportunities for collaboration with other city departments based on your city's food assets in order to drive creativity and allow you to qualify for further funding.
- Establish a primary facilitating entity in order to streamline and manage public programming.
- Seek community collaboration for events and programs in order to maintain a diverse calendar and lessen the burden on city resources.

FOOD ON WHEELS

Food trucks are hot in many American cities right now. This new form of mobile food vending is distinctly different from the hot dog stands, canteen trucks, or festival food stalls that you

might be familiar with. Rather, food trucks are traveling culinary outposts, offering fast, high-quality food that is fresh, usually made from local ingredients, and often inspired by international cuisines. They generally have a very small set menu, or none at all, and instead experiment with daily specials.

Food truck enthusiasts are attracted by the quality of the food, the novelty and feeling of excitement they bring, and the unique and fresh food offerings they provide. Through the use of social media, food trucks even develop their own followers or fans. Tweets are used to broadcast their locations and food specials. Food trucks flourish in areas that have seen public space initiatives such as greenways, pedestrian-oriented streets, and other streetscape improvements that encourage people to walk outside.

Local food entrepreneurs are drawn to the food truck business model because of the relatively low overhead (compared to a bricks and mortar restaurant) needed to launch a truck, the flexibility of operating a "placeless" business, and the chance to experiment with different concepts that would be too risky for a restaurant.

Today's food truck vendors come from all walks of life: restaurant industry professionals with decades of experience; mid-career professionals transitioning from other industries; soon-to-retire home cooks in need of stable income; self-taught and trend-savvy "foodies;" recent and first generation immigrants eager to share the cuisine of their home country; and even recent college grads

with no formal food training or prior business experience.

For many of these first-time food entrepreneurs, support from organizations like the Boston Area Food Truck Association has been especially helpful.

One of the strongest advocates of food trucks has been Boston Mayor Thomas M. Menino. What first got Mayor Menino interested in food trucks? Interestingly enough, as June Q. Wu reported in *The Boston Globe*, it was by inadvertently munching on a BLT made with soy bacon. "I went down to the farmers market at South Station, saw a food truck, purchased a BLT – I love bacon, right?" Menino recounted. "I didn't know it was soy bacon. I ate it, and I thought, 'Gee, this is really good.'"⁴

Menino has long supported healthy food initiatives in Boston, and realized that the new breed of food truck vendors could play a role. Again, as Wu reports, "Supporting businesses that provide healthy food on the go, Menino said, will help residents and visitors eat better ... 'It's good for us with high blood pressure, cholesterol problems ... That's our goal, we're going to try to educate the public on why it is smarter to eat healthier.'"

Last winter, Mayor Menino came up with a savvy way to promote food trucks for Boston: the Food Truck Challenge. The Mayor's Office invited food entrepreneurs to submit food truck concepts and menus for a chance to vend from a prime spot on City Hall Plaza. Winners also

³ Between 2005-2008, Arts Union is estimated to have generated over \$1 million in total direct and indirect economic impact. See ArtsUnion Economic Impact Evaluation, FY 2007-2008 at: <<http://unionsquaremain.org/creative-economy/studies/>>.

⁴ "Vendors asked to make healthy menus," by June Q. Wu, *The Boston Globe*, July 14, 2010.

received technical assistance, permitting guidance, and assistance with applying for low-interest loans from the City. The success of the challenge, in which three winners were chosen out of a field of nearly a dozen, signaled to the Mayor the need for a more widespread effort to bring food trucks to the streets of Boston.

The result: the Mayor and City Council developed a Mobile Food Vending Ordinance, which has streamlined the permitting process for food trucks.⁵ The ordinance also established a Mobile Food Trucks Committee comprised of representatives from the Departments of Public Works, Transportation, Inspectional Services, Neighborhood Development, and Police and Fire, as well as the Boston Redevelopment Authority (BRA) and the Mayor's Director of Food Initiatives.

Lauren Shurtleff, a planner with the BRA who advises the committee on land-use related issues, explains that one of the first tasks was to develop a mobile food truck site evaluation form. It asks for a range of information important from planning perspective, such as:

- proximity to commercial and residential districts, and to nearby businesses.
- traffic patterns (both vehicular and pedestrian).
- the availability of space that could accommodate clusters of trucks.
- the width of the sidewalk (to ensure ample queuing space for customers).
- how trash will be handled, and
- the proximity of public restrooms.

The vetting and siting process helps ensure that food truck locations will work, and not aggravate neighborhood traffic and other concerns.

Additionally, Shurtleff and the committee conducted considerable outreach, including mailings and phone calls to

neighborhood business organizations, residents, and business owners, explaining how food trucks differ from other mobile vendors, outlining anticipated benefits of having food trucks, and encouraging questions about how food trucks might impact the neighborhood. In some cases this feedback resulted in a site being moved.

Shurtleff attributes the speed and efficiency with which the entire mobile food truck initiative got off the ground to the committee's unique composition; all the

necessary city agencies were together around one table making mobile food trucks happen in Boston. The result of their hard work: there are now 20 city-approved sites across eight different neighborhoods supporting food trucks that offer everything from Vietnamese food and BBQ, to fresh seafood and cupcakes – all made from scratch and sold at affordable prices. Ven-

dors can also apply to locate their trucks on private property (with the owner's permission) or ask city officials to approve other public sites.

Currently, you can go online and see where all Boston food truck vendors will be during the week.⁶ The city also requires food trucks to have GPS systems installed. While this helps ensure compliance, the city also eventually expects to have an "app" for the public to use that builds off this data.

SUMMING UP:

The economic impact of food is too often overlooked. But food initiatives can be as much about jobs and community as about culinary enjoyment. Food can also be a powerful tool for cultural exchange and mutual understanding. For planners and planning commissioners it's time to dig in! ♦

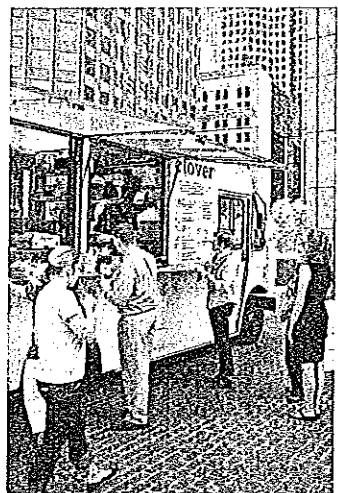
How can you bring food trucks to your city or town while minimizing any adverse impacts?

- Determine sites where food trucks might be successful, whether at shopping plazas, parking lots, playgrounds and parks, or near schools and office parks.
- Be sure to perform public outreach to explain what food trucks are and to gauge public interest, potential siting options, and issues of concern.
- Assemble a team from all city departments in order to comprehensively expedite siting and permitting decisions.

Diana Limbach Lempel is a Master's candidate in Urban Planning at Harvard's Graduate School of Design. This year Diana is working with Harvard's metaLAB to bring historic New England cookbooks to life for the public. She also works at Union Square Main Streets.



Christina DiLisio is an Urban & Environmental Policy & Planning graduate student at Tufts University. Her research on food policy councils was recently published by the American Planning Association's Planning and Community Health Research Center. Christina also works in the Boston Mayor's Office as the Mobile Food Truck Intern.



Mobile food vendors outside Boston City Hall.



Food Truck Ordinances

PCJ contributing writer Beth Humstone has prepared a quite helpful article on considerations in drafting local food truck ordinances. It is available exclusively on our PlannersWeb site at: plannersweb.com/foodtrucks.html.

⁵ Information about Boston's food truck policies (including a link to the ordinance) is available at: www.cityofboston.gov/business/mobile/.

⁶ See: www.cityofboston.gov/business/mobile/schedule-tabs.asp.

Cities are Realizing It's Cool to be Square



www.pps.org

by the Staff of the
Project for Public Spaces

Today, cities everywhere are thinking more broadly about how to get an economic boost. Big-ticket infrastructure, like sports arenas and lavish performing arts centers, once viewed as the key to reviving struggling downtowns, are taking a back seat to new, lower-cost, high-impact strategies to foster prosperity.

More and more, public squares and urban parks, not expensive mega-projects, are emerging as the best way to make downtowns more livable – and not just in depressed urban cores.

A central attraction of cities throughout the world, public squares not only bring economic rewards, but also offer people a comfortable spot to gather for social, cultural, and political activities.

One of the main reasons for the resurgence of public squares is that they make cities more livable, while providing many other diverse benefits – at a lower cost and greater speed than traditional large-scale developments. Public squares that emerge through a Placemaking process are sustained by community buy-in and can:

- Catalyze private investment and foster grassroots entrepreneurial activities.
- Nurture identity, encourage volunteerism, and highlight a community's unique values.
- Attract a diverse population and serve as a city's "common ground."

Successful squares – those that are sustainable both economically and socially – draw different kinds of people with a series of dynamic places within them offering many choices of things to do: socializing, eating, reading, playing a game, interacting with art, etc.

Houston: "This Is the Perfect Park"

Houston's new Market Square opened to great excitement in November 2010, with Mayor Annise Parker declaring, "This is the perfect park: It has history, it has green space, it has food, it has places for the pets, it has places for kids to play." That's quite a turnaround for a spot once featured in PPS's Hall of Shame.¹

The opening of Market Square was yet another milestone in Houston's progress toward creating a series of great public spaces and a vibrant, livable downtown – the moves that led us to name it "North America's Placemaking Capital." The Houston Downtown Management District worked with PPS to facilitate a Placemaking

process to develop new ideas for the square.



Market Square has helped strengthen Houston's downtown core.

PPS has also been a key partner on other Houston projects, including Discovery Green and Emancipation Park.

Market Square promises to live up to the community's early vision of the area as a magnet destination that will increase tourism and make downtown Houston more livable and vibrant. At lunchtime and throughout the day the square – in the center of Downtown Houston's Historic District – bustles with activity. Visitors come to enjoy a Greek café, performances, shaded seating, and a water feature. Bike racks provide plenty of parking for those who come on two wheels. A large dog run also attracts nearby residents, who have quickly adopted the park as their main community space.

And it's not just big cities like Houston that can benefit from better squares.

Syracuse: Reclaiming Clinton Square

In 1999, PPS worked with the city of Syracuse, New York (population just under 150,000), to develop a plan to bring vitality back to its downtown.

Centrally located within Syracuse, on the Erie Canal, Clinton Square was historically the site of many public activities, including an extensive market and, in winter, ice-skating on

the frozen canal. But in the 1920s, the Erie Canal was filled in. The construction of busy Erie Boulevard bisected Clinton. For many years, returning Clinton Square to its former uses was just a dream.

But at the turn of the 21st century, that all changed. Preliminary concept plans for Clinton Square were drawn up by PPS in conjunction with Clough, Harbour & Associates LLP and SG Associates. The space was designed with the involvement of the local community and with the aim of creating an inviting place. Rerouting traffic around the square was also a major part of the plans.

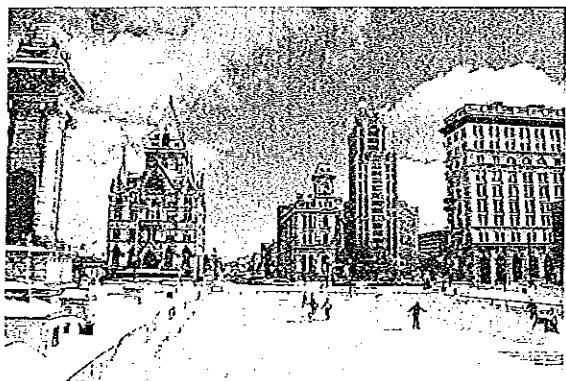
The opening of Clinton Square in September 2001 met with rave reviews, and the square is currently a spectacular civic plaza for festivals, farmers' markets, concerts, and ice-skating. Some 200,000 people use Clinton Square each year. Follow-up studies performed since the square reopened determined that traffic in the area has gone down by 13 to 16 percent. Air pollution emissions have decreased by 15 percent. Formerly vacant buildings around Clinton Square have been converted into ground floor shops and restaurants, while upper stories have been developed as apart-

1 <www.pps.org/blog/houston-new-mkt-sq/>.

2 For more on this project: <www.pps.org/pittsburgh-market-square/>.

3 For more on Plein 40-45: <www.mab.com/en/projects/NLAmsterdamPlein40-45/>.

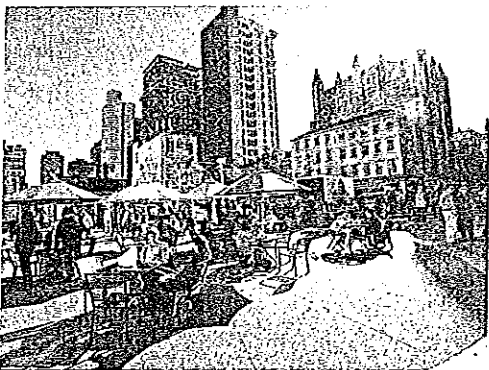
4 The report is currently available to download at: <www.mississauga.ca/portal/discover/publicspaces/>. For more on Celebration Square: <www.mississauga.ca/portal/celebrationsquare/>.



Winter skating at Clinton Square in Syracuse.

ments, some of the first new residential units to be constructed in Syracuse's central business district in many years.

A local resident summed it up: "The new Clinton Square is the best thing that has happened in Syracuse in 50 years."



Pittsburgh's Market Square.

Pittsburgh: the Center of a Downtown Renaissance

Pittsburgh's Market Square reopened in fall 2010 to roaring public approval. "Today our vision for this public space became a reality," said Mayor Luke Ravenstahl at the inaugural ceremony, citing the freshly planted trees, outdoor seating, newly closed streets, and wider sidewalks that now mark this historic public space. The opening marked the culmination of years of public process and a \$5 million investment in the area, with improvements guided by PPS's community-based plan for the Square.²

The Market in Pittsburgh

market runs through November, featuring more than 50 varieties of local produce, flower bouquets, and fresh pies.

Visitors can really notice the changes, saying the Square "seems more friendly." And Pittsburgh's downtown has

enjoyed a renaissance. "Neighborhoods throughout the city are experiencing record growth, and downtown is at the forefront," Mayor Ravenstahl said. "Market Square is at the center of much of this development and investing in this asset is critical to downtown's continued growth."

Pittsburgh's Market Square is yet another example of the power of park and plaza projects to spur downtown revitalization.

Amsterdam: the Need for Inclusive Public Space

As urban populations everywhere continue to diversify, it is essential to create thriving, inclusive public spaces. This is particularly urgent for immigrant communities, which often face barriers to inclusion. Integration can prove all the more challenging when professionals fail to create spaces where various cultures continue to diversify, it is essential to

Market Square is a large part of what makes it a vibrant destination. Managed by the Pennsylvania Association for Sustainable Agriculture, the

create thriving, inclusive public spaces..

PPS's recent work in Amsterdam's Plein 40-45, a square in one of Amsterdam's most diverse districts, has shown that a Placemaking process incorporating the needs and desires of a diverse community can help to catalyze quick improvements and promote true livability.

Plein 40-45 has the potential to become a thriving town square for a mixed Dutch, Turkish, and Moroccan neighborhood on the western edge of the city. Just days after a PPS Master Class workshop, the community started implementing a number of low-cost, high-impact improvements. The workshops brought those living and working around the town square together to develop a shared vision for the space that would include all cultural groups.³

Mississauga: Creating a Sense of Place

The city of Mississauga, Ontario, is one of Canada's most diverse and quickly growing cities. Debt-free since 1978, Mississauga also has one of the longest-serving and most popular mayors in the country. Yet despite this diversity and stability, the city continued to struggle to cultivate a sense of place that would bring people downtown.

From the intense involvement of more than 1,500 Mississauga citizens in several rounds of

community workshops and visioning sessions, it was clear everyone wanted their new Celebration Square to become the heart of the city – a place full of events that give people a reason to come enjoy their downtown. Just months after the initial workshops, citizens and local organizations came together to undertake a series of experiments and short-term actions (what we call "Lighter, Quicker, Cheaper" strategies) to implement many of the ideas that the community came up with. They created an ambitious summer schedule of programs and events and put public seating and tables out in the square right away.

Back in 2006, the city council voted to approve PPS' master plan for using Placemaking to bring new life to the city, "Building Mississauga Around Places: A Vision for City Centre Parks and Open Spaces in the 21st Century."⁴ Now that vision has become a vibrant, exciting reality, and Celebration Square has turned into a hub of activity, with concerts, fireworks, movies, art exhibits, and much more bringing thousands of people out to enjoy the space. ♦



Celebration Square is at the heart of Mississauga's growing downtown, hosting activities large and small.



Plannerisms We Can Do Without

by Dave Stauffer

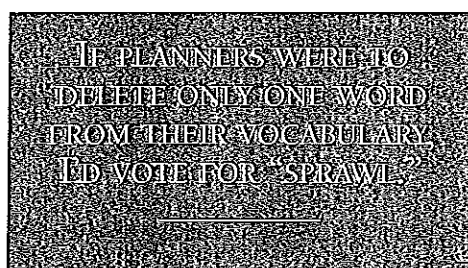
When you talk planning with people other than fellow planners, skip the planning jargon and stick to plain English. (Read "English" as including Spanish, Vietnamese, et al., depending on your audience. This article is concerned with terms and their definitions – no matter the language.)

Too often, when we who dwell in the world of planning address those who know little or nothing about our line of work, our jargon – what I call "plannerisms" – can prevent understanding and promote confusion. Sometimes the message received (if any) bears little resemblance to the message delivered. The complexity and nuances of planning are challenge enough for our audiences to understand without raising another hurdle in the form of plannerisms.

If planners were to delete only one word from their vocabulary, I'd vote for "sprawl." True, it's not jargon in the sense of being of obscure meaning to most people. Rather, it's a plannerism because it's been rendered meaningless by having too many meanings. A community activist in my town, whose exurban mini-mansion is situated in the middle of her 20-acre

ranchette, regularly condemns sprawl, which to her is exurban development with any density exceeding one home per acre.

We planners need to replace the word sprawl with terms that say, at least a little more precisely, what we mean. Sometimes we can substitute a density ratio,



other times a median square footage of residences. On occasion the sprawl of which we speak may be single-story and/or single-use development – so we should use those more specific terms.

I used the word "density" above – which many planners regard as a plannerism due to its growing perception as a pejorative. Many people appear to regard the word as synonymous with "tenement," as intentionally promoted by professional denigrators of compact and

mixed-use development. "Density is a relative term, from low to high," a planner told me. But "in most people's minds, it is an absolute term that means high."

In most cases, it's not hard to purge density from your dictionary. For example, instead of saying "the proposed density is eight units per acre," say, "the proposed development calls for eight units per acre."

An argument can be made that the greatest single impediment to the advancement of smart growth has been use of the term "smart growth." By inference, it tells anyone who may oppose or question it that he or she must be for something that's dumb. Why needlessly antagonize people we may otherwise persuade?

That alone is reason enough to abandon the term, but another strike against smart growth is its imprecision. Do we in all cases intend to say it includes compact growth? At what number of units per acre? Does that apply to retail, office, and industrial as well as residential? Does smart growth always include mixed use? Which types are being mixed? Industrial as well as residential?



Online Comments

Editor's Note: We received dozens of comments on LinkedIn on Dave Stauffer's article. Included are a sampling, posted with permission.

"My vote is to get rid of 'stakeholder.' I can't stop joking about which way the pointy end is facing. In my work I use the term participant, which I think is neutral and more descriptive. A stakeholder is someone I have to deal with. A participant is someone who chose to invest their time in my work."

– Dave Andersen, Spokane, WA

"I agree with the assessment of the term 'Smart Growth' in the article. It is simply arrogant, and assumes that anyone whose vision deviates from 'Smart Growth' is stupid. 'Smart Growth' has good ideas attached to it, but it is already a hard-enough sell for many people."

– Douglas Zang, AICP, Hilo, HI

"I'm pretty tired of 'sustainability.' I think the word has become so green-washed and over used in advertising that it has become completely meaningless. I think there should be a rule that whenever anyone uses 'sustainability' their next sentence should have to start with, 'And by sustainability, I mean ...'"

– Kendall Webster, Alameda, CA

"'Signage.' It just reminds me of when someone uses big words just for the sake of trying to sound smart. I actually got a good laugh out of my commissioners at a former city I worked at by using the word 'pewage' in a site plan review report when doing off-street parking calculations for a church. Why not 'roadage' or 'buildingage' too ..."

– Mark Stec, Warren, MI

"'Low Impact Development.' Next to 'sustainability,' only planners and stormwater engineers understand what those three words really mean. And those three words don't even convey the concept of natural stormwater management well."

– Amy Tarce, Alexandria, VA

"I say let's ditch 'thinking outside the box.' If I had a quarter for each time I've heard that cliché over the last ten years, I wouldn't have to be a planner any more!"

– Howard A. Smith, AICP, FITE, Alameda, CA

"I'll vote to ban the word 'voluntary.' There is nothing voluntary when a planner tells a developer they 'should think about' doing something. It either gets done or you don't get recommendation for approval. There is no 'voluntary' in planning."

– Warren Wakeland, Franklin, TN

"The phrase 'a sense of ...' such as 'a sense of place' or 'a sense of community' REALLY grates. This

A sampling of plannerisms suggested by planners (and those in related professions).

Sustainable. We all define it differently. So we'll agree on the term, but not on the specifics. *Advertising Age* magazine calls it "a squishy, feel-good catchall for doing the right thing."

Cluster development. If one person in your audience doesn't know it, you have to start from square one.

Mixed-use. Sounds like uses randomly stirred together in a mixing bowl.

Transit-oriented development. In an APA survey, nonplanners conjured visions of small apartments above loud, smelly buses.

Multifamily residential. Ask people if they want to live in a multifamily project and most will say no. We need a term to cover the "missing middle": duplexes, fourplexes, bungalow courts, etc.

Planning. There's financial planning, strategic planning, and summer vacation planning. Why not use an equivalent term that's meaningful and unique: land use planning?

A national survey earlier this year defined smart growth as "places where businesses, shops, and restaurants are within walking distance of homes." A division of the U.S. EPA says smart growth is "development that serves the economy, the community, and the environment." At the same time, Wikipedia breathlessly calls it "an urban planning and transportation theory that concentrates growth in compact walkable urban centers to avoid sprawl and advocates compact, transit-oriented, walkable, bicycle-friendly land use, including neighborhood schools, complete streets, and mixed-use development with a range of housing choices."

So what do we say instead of smart growth? Depending on the audience,

occasion, and context, possibilities include: progressive or traditional development, new urbanism, planned growth, and other terms that, yes, usually require definitions of their own. But at least they avoid the "dumb" inference and include words that are more descriptive than "smart."

So make an effort to purge plannerisms. It's the "smart" thing to do. ♦

Dave Stauffer is a freelance writer and director of "Linx," The Yellowstone Regional Transportation Cooperative. He is a former planner, planning commissioner, and council member in Red Lodge, Montana.



implies something less than genuine; how about creating REAL places and REAL communities, not fake 'senses of them?'

— John D. Said, AICP, Elmhurst, IL

"I think that the terms sustainability and smart growth are used too much without any thought to what they truly mean. They have become overused umbrella terms that have lost meaning because they are now catch phrases. For example, the sentence, 'my development project is sustainable and should be approved because it incorporates smart growth principles' will not nec-

essarily mean anything to a lay person or even to someone in the planning field."

— Tracy Sato, Anaheim, CA

"Stakeholders is my vote. We are not Vampire hunters!"

— Jim Plonczynski, Bartlett, IL

"I was just writing a mission statement recently and found myself uncomfortable with the word 'sustainable,' yet I could not come up with a single word that really covered 'a system that can maintain itself indefinitely,' so I begrudgingly stuck with the word."

— William Sinclair, Spokane Valley, WA

"I agree the word 'sustainability' is overused ... but for all intents and purposes, it is an important word that carries a positive connotation with it no matter how it's used. But if the word sustainability is being used for a project that isn't very sustainable, the way in which the word is being used compromises its integrity and usefulness. Let's work on using plannerisms more carefully, and be sure that they are not used just as marketing words to gain project support."

— Richy Caperton, Santa Rosa, CA

Drowning in an Acronym Sea



by Larry Pflueger

Over the years, I've observed that what has oftentimes caused nonplanners, including elected officials and the public, to go crazy is the unceasing use of jargon acronyms.

When I would make a presentation before a county board, after being "educated" by a county commissioner regarding what type of language the board members wanted me to use, I would either say the full term followed by the acronym or vice-versa, e.g., "The DCA, that's the Florida Department of Community Affairs" or "The Florida Administrative Code Chapter 9J-5 which we generally shorten to just 9J-5." Then I'd mix it up. Sometimes acronym first, sometimes the full term so that the board as well as the audience got used to hearing me say it.

We planners use the acronyms as our shorthand so that we don't have to say long phrases when speaking to each other. But when we speak to or write for the public, we need to be sensitive to the fact that they don't use the acronyms like we do, so we have to slow it down and explain what the letters mean before using them – and even then, be careful not to drown citizens in an acronym sea.

Before a public meeting, hand out a preprinted sheet containing words, terms, and acronyms likely to be heard during the proceedings. Rather than not use our vocabulary when communicating with the public, it is incumbent upon us to explain what we mean when we use potentially unfamiliar terms.

Larry Pflueger is the PCJ's long-time volunteer Assistant Editor. Until retiring this past year, Pflueger served as Principal Planner with the Pinellas County Planning Council in Clearwater, Florida.

Thanks to many who suggested plannerisms or related usages we should do without, including Allen Best, Randy Carpenter, John Clayton, Meghan Dorsett, Chris Duerksen, Whitney Gray, Catarina Kidd, Don Kinney, James Klessens, Daniel Parolek, Rod Proffitt, Larry Swanson, and Sylvester Tan.

Winning Over A Community To New Ideas

by Otis White

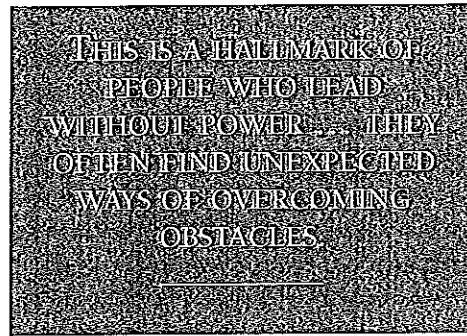
Editor's Note: In our last issue, Otis White examined the impact that planning commissioner Reeve Hennion had on Jackson County, Oregon. In this issue, White takes a look at another planning commissioner who helped change the direction of his community.

Not many people join a planning commission with a headful of ideas about improving zoning, but Thomas Hylton did. More surprising, in a few years' time, Hylton had talked his community, Pottstown, Pennsylvania, into rewriting its entire zoning code and instituting a whole new way of judging proposed developments.

He did this in three ways: by presenting his ideas so convincingly that it calmed what might otherwise have been a furious opposition; by bringing a unique set of resources to his cause; and by spending an extraordinary amount of time and attention in winning over citizens and elected officials. In doing so, Hylton offers a textbook case of how planning commissioners – and others with little or no formal power – can be change agents in their communities.

Granted, Tom Hylton was not a typical citizen planner. For one thing, he's a Pulitzer Prize winner. He won his

Pulitzer in 1990 for a series of editorials in the Pottstown newspaper about saving the farmland and open spaces of South-eastern Pennsylvania. For another, he has made himself something of an expert in small-town development. After retiring from the newspaper, he spent years traveling the country, writing a book, and producing a television documentary about preserving traditional towns.



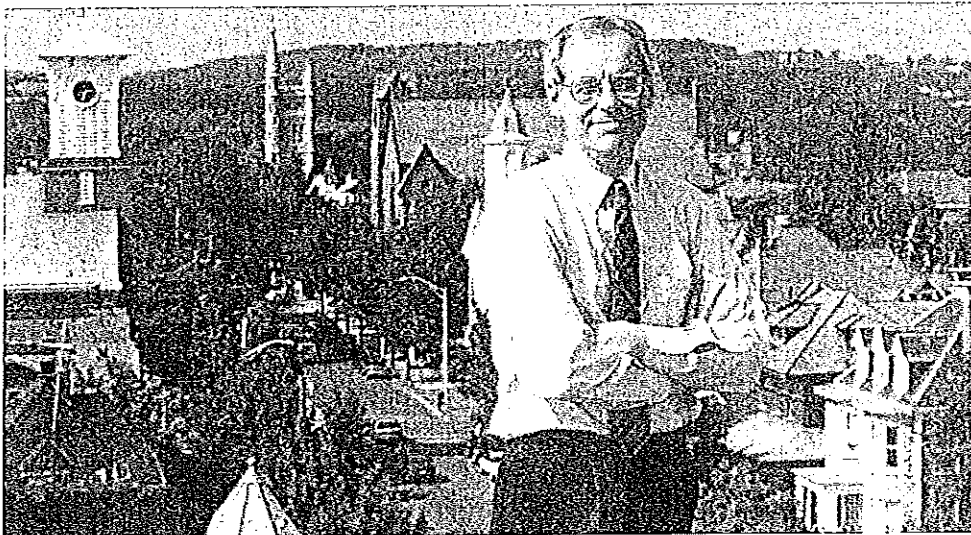
But what this means is that when he joined the Pottstown Planning Commission in 1999, he began with clear notions about how places like Pottstown, 35 miles north of Philadelphia, ought to deal with development. It didn't tell him how to win acceptance of his ideas. That came to him as he served on the commission and later became its chair.

Hylton's big idea was to change from traditional zoning, which seeks to separate land uses, to what some call "form-based zoning," which focuses on how buildings blend in with their surroundings more than how they're used. For Pottstown, with its buildings that date to the 18th century, this meant encouraging new construction that fit the town's existing "form."

Form-based zoning is a bold idea that generates a good deal of enthusiasm in academic and professional planning circles, but often disappears quickly when raised in communities. Why's that? Accustomed to the idea of separating land uses (industrial here, residential there, retail in between), many citizens have trouble understanding a different approach. City councils are also wary. They don't like to fix problems that aren't obvious. And then there are the developers, who don't like being told how their projects should look – or simply don't want to see the rules changed.

When Hylton took on the task of championing a new way of zoning, then, the deck was stacked against him, as it is with change in most communities. And Pottstown wasn't a place that welcomed new ideas. On the contrary, says Karen Weil, who served with Hylton on the planning commission and before that was the borough (or city) council president, "the first thing they say is no, we can't do that."

So how did Tom Hylton get people to say yes to a whole new way of zoning, one that at the time was unique in Pennsylvania? First, say those who watched him, he introduced the idea the right way – almost off-handedly. Ray Lopez, who was Pottstown's director of code enforcement, notes that Hylton focused first on the problems caused by traditional zoning. He'd say something like, "Wouldn't it be good for the town if. ..." Lopez recalls.



Thomas Hylton with downtown Pottstown behind him.

It was only after the problems were discussed thoroughly by the planning commission that Hylton began talking about solutions. "He was very intelligent about how he brought it about," Lopez adds.

And there were problems with Pottstown's zoning. Over the years, the town had adopted what Hylton called "suburban-style" zoning without thinking about how it affected an older community that was nearly built out. The setback requirements alone precluded most infill developments, as the remaining lots weren't big enough.

How did he go from talking about problems to talking about solutions – ones that involved rethinking the town's zoning philosophy? He did it by framing his unfamiliar ideas in familiar language. One way was to connect it with the sense of pride most people had in their neighborhoods, Karen Weil says. "People want to preserve their neighborhood," she explains. And that's exactly what Hylton said the new approach would do, preserve the look and feel of Pottstown's neighborhoods.

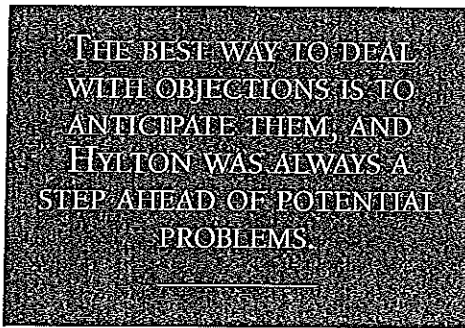
He had a clever way of explaining this, notes Jack Wolf, who was borough council president when the new zoning approach came up for discussion. Hylton told people that, if an older home burned down in Pottstown, it probably couldn't be built back as it was. Present zoning laws wouldn't allow it, but form-based zoning would. All in all, as Karen Weil adds, "what he proposed made a lot of sense."

Making sense was one thing. Creating momentum for change was another. It meant overcoming what economists call "transition costs." These are the costs incurred whenever you move from one way of doing things to another. Some costs may be financial, others might involve expenditures of time and energy. And this is where Hylton brought in the second of his contributions: a unique set of resources.

The greatest transition cost in Pottstown was financial. The town had no money to spare for rewriting its zoning ordinances. So Hylton tapped the network of contacts he had built during

the research for his book and documentary, helping a local nonprofit obtain a grant from the William Penn Foundation in Philadelphia to cover the costs of the revisions. (Later, the town also received a grant from the state and added a small amount itself.)

This is a hallmark of people who lead without power. Without access to government resources, they often find unexpected ways of overcoming obstacles. And they do so by using assets or connections that might not be obvious or available to others. It's unlikely that anyone else in Pottstown could have found and persuaded a foundation to underwrite a revision of the town's zoning ordinances. Tom Hylton's contacts were key.



That brings us to the last contribution Hylton made: an enormous investment of his time and attention. It helped, of course, that he was retired. But even so, he took "hands-on" to a new level. As it turned out, the grant wasn't used as one might expect, to hire an outside consulting firm to do all the work. Instead, Hylton advocated a more strategic approach: hiring a consultant to help lay the legal groundwork for the ordinance. Then Hylton took the lead in working with developers and homeowners who wanted to build things in Pottstown. And who worked on drafting the new ordinances? Tom Hylton did, with review by county zoning officials, consultants, and the town's attorney.

Hylton did all of this because he recognized that a legal challenge – or even the threat of one – would alarm the borough council. The consultant was able to document that most of Pottstown was eligible for historic preservation protection, helping provide legal support for

the form-based zoning approach. Hylton also saw that developers might oppose the zoning changes because they were so different from what other places required. So he suggested that some of the grant money be used to retain three design professionals to help developers modify their projects once the ordinance was enacted. This helped ease developers' concerns.

This offers yet another lesson for leaders looking to create change in their communities: there's no substitute for foresight. The best way to deal with objections is to anticipate them, and Hylton was always a step ahead of potential problems.

The result for Pottstown is a model of form-based zoning. The ordinances Hylton drafted are unusually clear and accessible – with photographs that illustrate the "forms" of Pottstown's neighborhoods. Ray Lopez still marvels at Hylton's work. "This was really something new. ... Everybody really liked the 'lightness' of the document."

The changes, which were adopted in 2003, have had an impact on Pottstown – among other things, creating a wave of infill development. Commercial developments look better, too. Hylton takes pride in a McDonald's restaurant that fits its surroundings better, with parking in the side and rear, trees in its parking lot, historic street lights, and brick columns.

Looking back, Hylton recalls few bumps on the road to form-based zoning in Pottstown. The planning commission itself was unusually harmonious. "We rarely had any disagreements," he remembers. "We were of one mind." But that may be a result of having a chair who knew what he wanted – and had the knowledge, skills, and foresight to get it. ♦

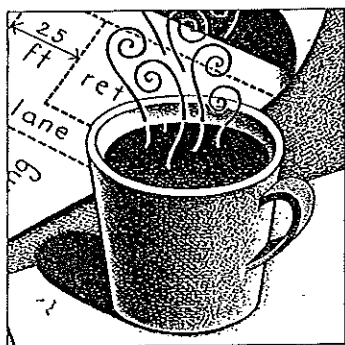
Otis White is president of Civic Strategies, Inc. – www.civic-strategies.com – a collaborative and strategic planning firm based in Atlanta, Georgia. White has authored several articles for the PCJ focusing on community leadership and civic participation issues.



ROUNDTABLE DISCUSSION:

Putting Some Oomph into Planning

Editor's Note: In response to questions and comments we've received about the role of planning commissions and how they can work more effectively, I invited four of our contributing writers (Wendy Grey, Carolyn Braun, Jim Segedy, and Lisa Hollingsworth Segedy) and one of our past editorial advisory board members (Lee Krohn) to join me in a roundtable discussion.



In this Corner: the Planning Commission

In that Corner: the Governing Body

Wayne Senville:

There's occasionally – some would say often – a tension between planning commissions and local governing bodies. This can come up in the context of development review decisions (in those states where the governing body has the final say); proposed zoning amendments; or recommended changes to the comprehensive plan. Sometimes planning commissioners feel their carefully considered recommendations are ignored or tossed out due to “political considerations.” Both bodies could be said to “represent” the public, but their roles and responsibilities are certainly different.

My question to you: Should the planning commission take its “marching orders” when it comes to land use policy from the governing body – or should the governing body give deference to the commission as the community’s “expert” on land use planning and policy – or neither of the above?

Jim Segedy:

The planning commission’s marching orders are to provide the best advice to the governing body as laid out in the comprehensive plan, mindful of the potentially evolving notion of the health, safety, and welfare of the whole community. If necessary, the commission should forward its advice/recommendation with appropriate references to the plan and ordinances adopted by the governing body on behalf of the community. The planning commissioners MUST remain above the politics.

Wendy Grey:

When the planning commission submits its findings and recommendations to the elected officials, those recommendations are advisory. This does not mean they are not well thought out and well reasoned. It does mean that the elected officials have the final say. They are ultimately responsible to the public for those decisions. Just as the planning commission’s recommendations may sometime differ from staff’s, so the elected officials may differ with the planning commission.

That said, there is clearly a problem if the planning commission and the elected officials are frequently at odds.

Lee Krohn:

Communication is always key, but does not by itself solve this potential problem. Here, the selectboard (i.e., local governing body) generally gives deference to the planning commission’s recommendations, but these must still be defended and supported (it’s not simply a rubber stamp process).

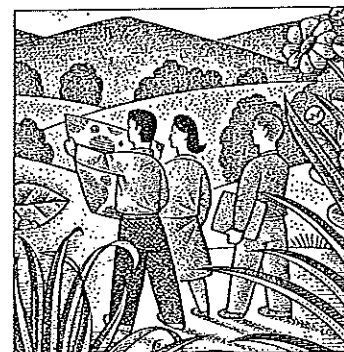
Ideally, a legislative body does its best to choose good commissioners, and then lets them do their job; this also requires the planning commission to respect and understand its role in the overall process.

Carolyn Braun:

Over time, the planning commission is trained to become the citizen “experts” for land use requests. The elected body can take advantage of this training by carefully weighing the planning commission recommendation, especially for applications that require interpretation and application of specific provisions of the zoning code, i.e. conditional



and special use permits. The planning commission’s expert opinion provides a way for elected officials to make a well-reasoned, defensible decision without political influence.



However, on matters of land use policy, it is important for the planning commission to work jointly with the elected body to make the most efficient use of resources, including the time and effort it takes to make major changes. Heading off in the opposite direction from the elected body most often ends with a failed effort. Instead, the commission should meet with the elected body and provide information that supports their proposed policy or plan.

Wendy Grey:

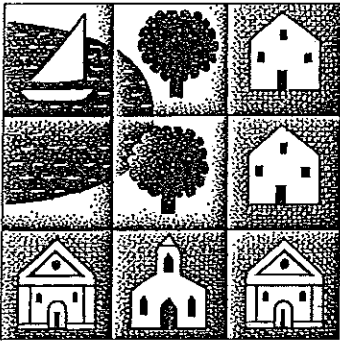
Carolyn makes an important distinction between the planning commission’s responsibility for implementation of the comprehensive plan and the codes (e.g., through site plan and subdivision review) and the commission’s responsibility to provide recommendations on policy matters (e.g., through the plan update process). Planning commissioners can use the expertise gained from their implementation responsibilities to help resolve potential conflicts with elected officials on the policy side.

Lisa Hollingsworth-Segedy:

I think the planning commission and elected body should be trained on plan development and land use decisions together

so each has the same basis of understanding even though their roles are different. This would avoid the "us vs. them" standoff that frequently happens. My personal observation is that the governing body frequently sets aside the planning commissioners' plan-based recommendation and (inappropriately) makes political decisions that violate the stated purpose and/or goals of the plan.

Common training of the two bodies plus a once a year retreat to review the plan and resolve any areas of conflict can be helpful, as well as a periodic "look back" to see if the decisions made resulted in development that met the plan's goals.



Carolyn Braun:

One way to strengthen the commission's relationship with the elected body is to hold joint work sessions. This can be done annually or on a project basis. If there is a bigger project – such as developing development standards and identifying zoning for a larger area – the commission can periodically "check in" with the elected body – provide an update and seek feedback.

All too often, the elected body is expected to make a decision after one discussion on a topic that the commission spent months working through. If you want them to support your decision, help them get to that point.

Jim Segedy:

I also strongly encourage a periodic joint session of the governing body and the planning commission to exchange ideas, priorities, and explain the whys and wherefores of the decisions made. This can be done formally or informally.

Wendy Grey:

Two other related points for planning commissions to consider.

First, make sure the reasoning in your recommendations is clear. Rather than just a statement in the elected officials agenda item that says "The Planning Commission recommended denial," ask staff (if they don't already do so) to include a summary of the planning commission's reasoning.

Second, try to understand the reasons for the differences between the two bodies. It may be that the planning commission is making recommendation based on a strict application of the comprehensive plan but the elected officials, seeing flaws in the current policies, are trying to make what they think is the most appropriate decision. In cases like this, the planning commission can be proactive and recommend changes to the plan that get everyone on the same page.

Lisa Hollingsworth-Segedy:

To follow up on what Wendy said, if there's a long tradition of elected officials NOT following the planning commission's recommendations, even when the commission completes a documented recommendation explaining the rationale behind their choice, then there's a problem with the plan.

Perhaps the plan was completed in a previous administration, and the new elected body is not invested in the plan. Or perhaps the plan was created pre-economic crisis and the



conditions have changed so vastly in the community that the plan is no longer relevant.

Regardless of the situation, when the plan isn't being followed by the elected officials, it is time to sit down and talk about why, then get to work on plan revisions – and specifically cultivate support for the new/ revised plan with the elected body.

A plan that isn't followed is worse than no plan. Aside from the potential legal problems that causes, it is also critical because the message it sends to the people who were involved in plan development is that the plan (and consequently the community's goals) don't matter.



Finding the Time for Long-Range Planning

Wayne Senville:

I want to ask a question I've regularly heard over the years: how can our planning commission best find the time to engage in long-range planning, when we're often (other than now when the economy's so sluggish!) occupied with project

or development review responsibilities? Any suggestions?

Jim Segedy:

If typical agendas are full, a separate meeting should be held – on a regularly scheduled basis – for proactive strategies. Plain and simple. Do not ignore this critical commission function.

Carolyn Braun:

I agree, if there is not adequate time at a regular planning commission meeting, schedule a work session. If at all possible, have regularly scheduled work sessions based on a list of topics identified by the commission and the staff at the beginning of the year. Then systematically work through those items.

We have monthly work session where we discuss long-range issues; potential changes to the ordinance (often a recently highlighted issue); and actions taken by the city council.

Occasionally those meetings include a field trip to an area or property, with some of those field trips simply to observe the outcome of previous development approvals. The meetings are held a little earlier in the evening and are generally no more than 1½ to two hours.

Lisa Hollingsworth-Segedy:

If you're working on a comp plan, there may be a range of options depending on the planning commission's preference and the timeline for plan development. For instance, you could provide the first 30 minutes of each meeting to review an element of the plan and develop goals and priorities; or you could establish a work session schedule separate from regular meetings to work with staff in a plan development process.

continued on next page



Wendy Grey:

Preparing a long-range plan or updating an existing plan is a time-consuming process. To allow adequate time, consider establishing a special schedule for rezonings and comprehensive plan amendments for the duration of the development of the plan or the update.

For example, if the planning process is expected to take one year, the local government could schedule rezoning hearings every two months or every quarter, rather than monthly. Similarly, the local government can restrict plan amendments to one time that year.

Sometimes the workload will just demand that the planning commission conduct extra meetings dedicated solely to the plan development or

update. If that's the case, there are a couple of logistical tips that may help:

- establish a schedule at the beginning of the process (e.g., Meetings 1 and 2 are for Land Use; Meetings 3 and 4 are for Mobility).
- set deadlines for the distribution of agenda materials that allow time for review prior to the meeting -- and encourage staff to present the material in a concise way, with major policy decisions clearly articulated.
- finally, if meetings become too lengthy or unproductive, consider using a facilitator. Sometimes a third party can see a way to move things towards resolution.

Lee Krohn:

In Vermont, our state enabling law allows towns to create what are called "development review boards." A planning commission's development responsibilities are then shifted to this board, freeing up the commission to focus on planning.¹

Also, as others have noted, the planning commission must set aside certain meetings specifically for long range planning and/or become more efficient in development review.

Wendy Grey:

A related approach to what Lee mentioned in Vermont is for the local government to look carefully at the development review levels assigned to projects, and ask the planning commission to review only those projects of a magnitude or nature that warrant a higher and more public level of review. These levels of review then need to be included in the land development code.

I have seen some codes that give the planning director authority to "bump" the level of review from the development review board (or its equivalent) to the planning commission under certain circumstances. This is usually done for smaller projects that have some potentially controversial aspects.



Keeping the Energy Flowing

Wayne Senville:

It seems that every five years or so (the interval differs from state to state and community to community) the planning commission focuses on revising/ updating the local comprehensive plan. Sometimes, there's a huge effort involving many members of the community. But then after the plan is adopted, that energy often seems to dissipate.

Are there ways you've found to keep both the planning commission and the community energized and engaged in long-range planning and in making sure the plan's recommendations are followed up on?

Wendy Grey:

Monitoring and evaluating the implementation of the plan are good ways to keep the vision of the long range plan in the forefront. Often, data collection and analysis occurs only as part of the comprehensive plan update -- but regularly monitoring key indicators will help keep the community on the path set out in the plan and alert you to when something needs to be changed.

For example, if the comprehensive plan calls for more community parks, the local government can monitor the acres of parkland created. If the indicator shows a lack of implementation, you have the opportunity to analyze the situation and see how to do better.

These indicators can be shared with the public by posting them on the local government website and including them in the local government's annual report.

Carolyn Braun:

On an annual basis, our planning commission reviews the goals and policies of the comprehensive plan and the city council's annually-established goals. They use this information to develop a work plan for the coming year.

Lee Krohn:

Plan follow-up can be like the tides: sometimes it requires active energy, sometimes let things rest, sometimes it needs a board member or staffer to

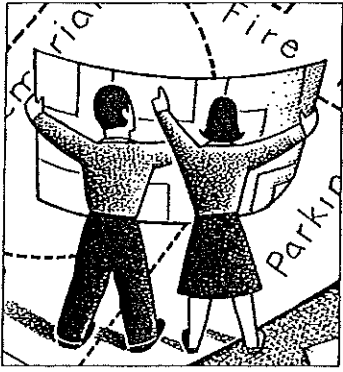
Taking a Closer Look: Basic Planning Tools



From comp plans to zoning basics to citizen surveys, this collection of 19 articles provides an overview of tools and techniques used by planners and planning boards. Attractively bound, and delivered by first-class mail, you'll receive this 67-page booklet within a few days.

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¹ For more on Vermont's development review board enabling law, see "Manual of Procedures for Administration and Enforcement of Vermont Zoning Bylaws," prepared by the Vermont Land Use Education & Training Collaborative: <www.vpic.info/pubs/admin_manual.doc>. For the statutory language: <www.leg.state.vt.us/> [search Statutes for Title 24, Chapter 117, Section 4460].



keep the plan alive as issues arise or as we create opportunities to achieve goals. This can be via capital budget planning, development review, or fostering collaboration with private entities or nonprofits to achieve mutual goals. To give one example, our planning commission participates in the town's capital budget process, to try to ensure that long range town plan goals are reflected in the municipal budget.

Lisa Hollingsworth-Segedy:

I have also found that many plans just include lists of actions for the local government to implement. Few activities are delegated to local non-profits, interest groups, or community organizations. Therefore, once a plan is complete, there's no work remaining for process participants to do. If there is more emphasis placed on community in the plan that would create broader engagement in plan implementation.

Jim Segedy:

I agree. The best way to keep the community engaged is to give them something to do. It is not the responsibility of the planning commission to do it all for the community. The commission's job is to facilitate the community putting their plan into action. In other words, to steal from Nike® "Just Do It."

Wendy Grey:

The idea of involving the

community in implementation reinforces the benefit of identifying responsibilities as part of the comprehensive plan update process.

If the government is going to rely on other community agencies or organizations to implement components of the plan, that should be made clear. This information does not need to be adopted in the plan – there can be a supplemental implementation document with responsibilities and timelines.

One of the planning commission's responsibilities should be

to evaluate policy implementation and make recommendations to the elected officials.

Lisa Hollingsworth-Segedy:

One other point. It's important to recognize the work citizens do. I recommend an annual review/celebration during which plan achievements are recognized and the groups who "got it done" get some kudos. This could go for local government as well. Media coverage, awards, etc, would help to make this something folks in the community would look forward to.

Wendy Grey:

Lisa's comments about awards and recognition is a reminder of how important it is for the local government to find ways to show its appreciation for the work planning commissioners and other involved citizens do.

For commissioners, subscriptions to publications, reimbursement for conferences or on-line classes, and an occasional "get together" with elected officials are great ways for the local government to say thank you – planning directors take note! ♦

What have you found to be the most important attributes of an effective planning commissioner?

Carolyn Braun:

Good listening skills; the ability to deal with debate that includes varying points of view; good analytical skills; and the desire to learn.

Wendy Grey:

Patience; being a good listener; and being able to withstand public criticism.

Lee Krohn:

To be "visionary" – that is, a big picture thinker who can look beyond "what is" to "what could be".

Lisa Hollingsworth-Segedy:

To be motivated by the community's best interests; not to be afraid to do things differently; and to have imagination – and an "amen" to Lee's comment!

Jim Segedy:

To be open-minded and fair, but willing to make tough decisions; to have a willingness to explore what makes a quality community; and to be able to understand beyond the "sales pitch" how things will truly impact the community.



Carolyn Braun, AICP, is long-time Planning Director for the City of Anoka, Minnesota, located in the Twin Cities metro area.



Wendy Grey, AICP, heads Wendy Grey Land Use Planning LLC in Tallahassee, Florida, and is former Planning Director for Tallahassee and Leon County.



Lisa Hollingsworth Segedy, AICP, is an Associate Director in American Rivers' Western Pennsylvania field office.



Lee Krohn, AICP, is long-time Planning Director for the Town of Manchester, Vermont.



Jim Segedy, FAICP, is a consulting planner, and past Director of Community Planning for the Pennsylvania Environmental Council.

What Are You Guys Doing To Fix It?

by Della Rucher, AICP, CECd

Many of our local economies are not healthy. Our news is full of closing stores and vacant big boxes, plummeting housing values, and holes in government budgets. If you're on a planning commission, try going to a party at your neighbors' house. Sooner or later you'll get asked: "What are you guys doing to fix it?"

We know we aren't responsible for all these events. But the question nags: "What are you guys doing to fix it?"

If we take our responsibilities seriously, then perhaps we can help fix it. To do that, we need to think ahead, anticipate consequences, and identify our blind spots so that we aren't sideswiped by a future we didn't see coming.

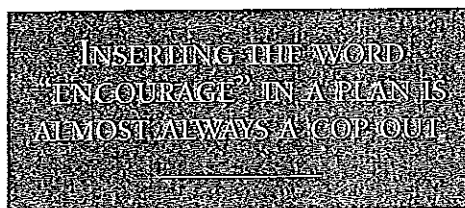
To make wise decisions, we need to plan wisely. But what does that mean?

- Goals that mean what they say. We don't need the mealy-mouthed stuff we often get for goals. We need goals that our community understands, rallies around, and works toward. If a goal does not make people want to act, that goal is useless.

The word "encourage" should not appear in a plan's goals or objectives, unless there is a very solid reason for doing so. If I encourage my son to study for a test, "encouraging" him is not the goal. "Pass the test" is the goal. Inserting the word "encourage" in a plan is almost always a cop out, which is why officials sometimes like it for goals they don't want to support. If you cannot get support beyond "encourage," then define what the parties involved can support, or cut the goal out.

- Don't assume that the future will be a direct extension of the past. How many population projections have you seen? How many decisions do we base on those numbers? How often do those numbers turn out to be right? We too

often plan the way we do because that's what a projection indicates. We need to stop treating a projection as a *fait accompli*. What matters isn't the numbers, but what they tell us about the issues we face, and how we influence or adapt to those changes.



As planning historian Laurence Gerckens has noted, too many local plans have been "premised on the projection or continuation of past trends." The resulting problem is that these plans "rarely reflected any vision for positive change [and] rarely addressed past inadequacies and injustices."¹

- Be clear about fiscal impacts. No one likes taxes, but your community needs them. We know that if development costs more than it generates in taxes, we have a problem. Do the math or pay someone else to do it. But if someone else does it, make sure you understand what they did and why.

- Model your public participation effort after what the best teachers do. Don't lecture, or allow others to lecture. Give the process structure so that people stay on track and so that you hear from everyone. Engage people in the search for solutions, rather than presenting a plan and waiting for them to applaud or throw tomatoes. The public needs to understand the issues and lend their expertise to the search for solutions. If you give them a chance, they'll come through.

¹ Laurence Gerckens, FAICP, "K is for Knowledge" in *Planning ABC's* (2003); available at: <www.plannersweb.com/abcs.html>.

- Admit that putting colors on a map isn't doing enough. If you are serious about improving your community, you need to plan for much more than just how land is categorized and zoned. Drawing up a multi-colored land use map is only part of the process. Putting together an effective local plan needs to draw on the work and involvement of planners, planning commissioners, and many others from the community.

Why have I said all this, and made points that may sound self-evident? Because many of us (myself included) have been guilty – at least on occasion – of setting meaningless goals, treating projections as immutable facts, and failing to adequately engage the broader community in a search for solutions. For whatever reasons, we've taken the easy way out, or didn't want to rock the boat.

So what can we do to help fix our counties, cities, or towns, and make them more resilient? We can do what planners and planning commissioners have long been called on to do – view our communities as a whole; see what's working and what isn't; leverage the wisdom of our neighbors; and lead development of goals, policies, and objectives that will truly help us do the hard work of moving our communities forward. ♦

Della Rucher is the Principal of Wise Economy Workshop, a consulting firm that assists local governments and nonprofit organizations with the information and processes for making wise planning and economic development decisions.



CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Winter 2012

Volume XVI, Issue 1

WETLANDS COMMISSION REVIEW OF FARM ROAD REQUIRED

The owner of 6 acres of land sought to develop the parcel as a farm and nursery. The property contained wetlands. Part of the development plan called for the construction of 3 roads. Because the roads would be needed to operate the farm and nursery and that no wetlands or watercourses with continual flow would be filled in or relocated during the construction the roads, the property owner claimed that the activities were 'of right' requiring no wetlands review or permits. The Commission disagreed, leading to an appeal to court.

While the wetland statutory scheme calls for exempt uses, such as farming and roads associated with farming, it also clearly states that such exempt uses shall not include "the filling of wetlands to construct roads, irrespective of whether the roads are directly related to the farming operation." See *Taylor v. Conservation Commission*, 302 Conn. 60 (2011).

IS A DAY CARE CENTER A SCHOOL?

A special permit and site plan application was approved for a package store. The zoning regulations required, among other things, that a package store be located at least 500' from any school. The commission's decision to approve the application was appealed to court based on the claim that this requirement

in the zoning regulations was not met because a day care center was located within 500' of the proposed package store location.

The zoning regulations did not define the terms school or day care. Following well established rules of statutory interpretation for when regulations or statutes do not define a term, the court looked to common definitions of said terms. After referring to definitions for these terms in a common dictionary, the court found that these terms are not synonymous but apply to distinct uses.

Whereas a school is principally a place of instruction for children, a day care center is a place for child supervision. Just because some amount of instruction takes place at a day care facility does not make it a school. Thus, the court found that the commission was correct in its interpretation of its regulations when it allowed the package store to locate within 500' of a day care center as it was not a school. See *Frank's Package Store v. Planning & Zoning Commission*, 52 Conn. L. Rptr. 363 (2011).

MINIMAL ENCROACHMENT NOT A PROPER BASIS FOR GRANTING A ZONING VARIANCE

A home was built in a location that violated front and side yard setback requirements in the zoning regulations. The errors were discovered during construction of the home and applications for the needed variances

Written and Edited by
Attorney Steven E. Byrne
790 Farmington Ave., Farmington CT 06032
Tel. (860) 677-7355
Fax. (860) 677-5262

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were made. Since the encroachments were considered minimal by the Board, the variances were granted.

On appeal, the court reversed the Board's decision. In Connecticut, a variance can be granted only upon a showing of hardship, and no hardship was proven. The Board's decision was based upon the improper basis that the zoning violation was of a minimal or de minimus nature, something this state does not recognize as a basis for the granting of a variance. *See Long Shore LLC v. Zoning Board of Appeals*, 52 Conn. L. Rptr. 359 (2011).

PLANNING COMMISSION'S REJECTION OF A STIPULATED JUDGMENT NOT APPEALABLE

When a planning commission denied a special permit application for a water storage tank, the applicant took an appeal to the State Department of Public Utility Control. While the appeal was pending, the staff for the planning commission and the applicant discussed revisions to the special permit application. The matter came before the commission [a second time] as a stipulated agreement, which the commission rejected. This decision to not accept the stipulated agreement was appealed to court by the applicant. The commission filed a motion to dismiss claiming that there is no statutory right to appeal a commission's rejection of a stipulated agreement. The court agreed with the commission.

An appeal of a land use agency's decision is a statutory right, controlled by Connecticut General Statute 8-8(b). An appeal of a decision to not settle pending litigation does not come within a decision that can be appealed under this statute. This decision follows *Brookridge District Assoc. v. Planning and Zoning Commission*, 259 Conn. 607, (2002). *See Bethel v. Planning Commission*, 52 Conn. L. Rptr. 379 (2011).

COURT EXPANDS AGGRIEVEMENT TO INCLUDE ALL PROPERTY OWNERS WITHIN DISTRICT

A zoning commission adopted an amendment to its zoning regulations which created a definition for the term "buildable lot". In order to meet this definition, a lot would need to contain a one acre area free of wetlands, steep slopes and easements. Another amendment to the regulations applied this definition to the country residential zone, which is a residential district requiring two acre lots.

An owner of property appealed this decision, alleging only that he owned property in this zone and that the amendment applied to this zone. At court, the Commission argued that this pleading was insufficient to allege aggrievement. The court agreed, dismissing the appeal because the property owner failed to plead sufficient facts proving that this amendment applied to his property or property

Written and Edited by
Attorney Steven E. Byrne
790 Farmington Ave., Farmington CT 06032
Tel. (860) 677-7355
Fax. (860) 677-5262

CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Winter 2012

Volume XVI, Issue 1

within 100 feet of his own, as required by Connecticut General Statute Sec. 8-8(a). An appeal to the Appellate Court followed.

On review, the Appellate Court reversed the trial court, finding that all that is needed for a property owner to plead aggrievement is that he own land within a zoning district that is affected by an amendment to the zoning regulations.

This decision by the Appellate Court, allows anyone owning property within a district affected by a zone amendment, or within 100 feet of the affected district, to take an appeal. In this case, the country residential district comprises 80 percent of the town, meaning nearly every property owner could have taken an appeal. *Lucas v. Zoning Commission*, 130 Conn. App. 587 (2011).

ANNOUNCEMENTS

64th Annual Conference

Set aside the evening of March 15, 2012 so that your land use agency can attend this year's annual conference. This conference will be held at the Aqua Turf Country Club where a fine dinner will be served, conversations with other land use agency members will take place and an interesting presentation and discussion offered. In addition, this is an opportunity to satisfy any training requirements that municipalities may have for their commission and board members. This year, we will discuss Public Act 11-79, a new state law which

restricts the timing for when land use agencies can require the posting of bonds from subdivision and site plan applicants. A flyer and registration form will be mailed to all member agencies with the price per person to attend set at \$42.00.

Length of Service Award

Nomination forms for this award will be sent out soon to all member agencies. In order to be eligible for the award, a person must have served 12 continuous years as a member of a zoning agency. Please return all nomination forms by March 5, 2012.

Lifetime Achievement Award

This award is available to any person who has served at least 25 years in the area of land use, either as a member of a zoning agency or as staff or advisor to a zoning agency. Nomination forms will be sent to all members. In order to receive proper consideration, a nomination must be submitted by March 5, 2011.

ABOUT THE EDITOR

Steven Byrne is an attorney with an office in Farmington, Connecticut. A principal in the firm of Byrne & Byrne, he maintains a strong focus in the area of land use law and is available for consultation and representation in all land use matters both at the administrative and court levels.

Written and Edited by
Attorney Steven E. Byrne
790 Farmington Ave., Farmington CT 06032
Tel. (860) 677-7355
Fax. (860) 677-5262

BOOK ORDER FORM

Name of Agency: _____

Person Making Order: _____

Address: _____

Purchase Order No.: _____

"PLANNING AND ZONING IN CONNECTICUT"

at \$ 20.00 each for members Copies _____ \$ _____
at \$ 28.00 each for nonmembers

"CONNECTICUT ZONING BOARD OF APPEALS"

at \$ 15.00 each for members Copies _____ \$ _____
at \$ 20.00 each for nonmembers

"WORKSHOP BOOKLETS" at \$6.00 each for members

at \$8.00 each for nonmembers

Planning Commissions	Copies _____	\$ _____
Zoning Commissions	Copies _____	\$ _____
Zoning Board of Appeals	Copies _____	\$ _____

TOTAL DUE: _____

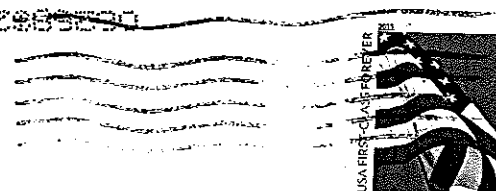
\$ _____

Please make check payable to:

Connecticut Federation of Planning & Zoning Agencies

CONNECTICUT FEDERATION OF
PLANNING & ZONING AGENCIES

2B Farmington Commons
790 Farmington Avenue
Farmington CT 06032



Mansfield Planning & Zoning Commission
4 South Eagleville Road
Mansfield, CT 06268

CONNECTICUT FEDERATION OF PLANNING & ZONING AGENCIES

STEVEN E. BYRNE
EXECUTIVE DIRECTOR

BUILDING #2
790 FARMINGTON AVENUE
FARMINGTON, CONNECTICUT 06032
TELEPHONE (860) 677-7355
FAX (860) 677-5262



TO: Chairman of Planning and/or Zoning Commissions
and Zoning Boards of Appeal

FROM: Steven E. Byrne, Executive Director

SUBJECT: CFPZA Annual Conference – March 15, 2012

Again, this year's municipal budgets are tight. I am writing to encourage you and your commission members to consider attending this year's Annual Conference of the Connecticut Federation of Planning and Zoning Agencies. The night is sure to be both enjoyable and informative. Our speaker will be providing information on Public Act 11-79, a new state law which restricts the timing for land use agencies when requiring subdivision and site plan applicants to post bonds. The discussion will focus on the act's history and purpose, how it affects land use commissions and options to respond to the law.

Many land use commissions require an education component for their commission members. At a cost of only \$42.00 per individual, this conference is a cost effective way to satisfy this requirement while providing an opportunity to socialize with commission members from other towns.

In addition, Length of Service awards will be presented to commission members who have served in any capacity for 12 or 25 years. If you have a commission member who is eligible, please submit his or her name using the attached form.

I hope to see you and members of your commission at this worthwhile event!

CONNECTICUT FEDERATION OF PLANNING & ZONING AGENCIES

STEVEN E. BYRNE
EXECUTIVE DIRECTOR

BUILDING #2
790 FARMINGTON AVENUE
FARMINGTON, CONNECTICUT 06032
TELEPHONE (860) 677-7355
FAX (860) 677-5262



TO: Chairman of Planning and/or Zoning Commissions
and Zoning Boards of Appeal

SUBJECT: Length of Service Awards / Lifetime Achievement Awards

Length of Service Awards will be presented at the Connecticut Federation of Planning and Zoning Agencies' Annual Conference on March 15, 2012, to those persons who have served 12 or more years as a member of a planning commission, zoning commission, planning and zoning commission or zoning board of appeals.

The twelve years of service may be a combination of time spent as a member of all four agencies. The twelve years, however, must be continuous from year to year. A Length of Service Award form is attached.

Lifetime Achievement awards are presented to individuals who have served at least twenty-five (25) years in the area of land use, either as a member of a zoning agency or as staff or advisor to a zoning agency. Please call Steven Byrne at (860) 677-7355 if there is an individual you believe should be considered for this award.

All nominations should be sent to the following address:

The Connecticut Federation of Planning and Zoning Agencies
790 Farmington Ave., Building 2B
Farmington, CT 06032

The nominations can also be sent by Fax to (860) 677-5262.

Please note that individuals who have received these awards in the past are not eligible to receive them again.

All nominations for awards must be returned no later than **March 5, 2012.**

NOMINATION FORMS ATTACHED

CONNECTICUT FEDERATION
OF
PLANNING AND ZONING AGENCIES



ANNOUNCES

ITS

64TH ANNUAL CONFERENCE

THURSDAY, MARCH 15, 2012

AT THE

AQUA TURF COUNTRY CLUB
PLANTSVILLE, CONNECTICUT



Cost: \$42.00 per person for Agencies that are members of the CFPZA
\$52.00 per person for Agencies that are not members of the CFPZA

**The enclosed registration form must be received by Brescia's Printing,
by mail or fax, no later than Tuesday, March 13, 2012**

Fax: (860) 289-7130

Questions? Call Steve Byrne at (860) 677-7355

More info on back —>



64TH ANNUAL CFPZA CONFERENCE

Aqua Turf Country Club
Plantsville, CT
Thursday, March 15, 2012

PROGRAM

5:00 p.m. **SOCIAL HOUR / REGISTRATION**

6:00 p.m. **DINNER**

Salad, Ziti, NY Strip, Vegetables, Potato, Dessert

7:15 p.m. **AWARDS PRESENTATION**

• 12-year Length of Service Awards

• Lifetime Achievement Awards

8:00 p.m. **TOPIC: Public Act 11-79 -**

new restrictions on bonding for subdivisions and site plans

This topic will focus on PA 11-79, its history, possible future revisions, how it affects land use commissions, and options available to commissions to respond to this law.

Principal speaker: Christopher S. Wood, AICP,
Wood Planning Associates, LLC

Chris has a Bachelor of Science degree in Biology and a Master's degree in Environment from Southern Connecticut State University. He is currently a planning consultant at Wood Planning Associates, LLC and serves as the planning director for the Northwestern Connecticut Regional Planning Collaborative. He also is Government Relations Chair and legislative liaison for the Connecticut Chapter of the American Planning Association. In this capacity he has been involved with PA 11-79 from its inception and with recent efforts to amend it. He has also been working with local towns to revise their regulations in response to the law.

DIRECTIONS TO THE AQUA TURF

I-84 EAST FROM WATERBURY – Merge onto I-169 E via Exit 27 toward Meriden. Take the CT-10 exit, EXIT 3, toward Cheshire. Turn left onto CT-10 (Highland Ave.). Continue to follow CT-10. Stay straight to go onto Old Turnpike Road. Turn right onto Mulberry Street. Aqua Turf, 556 Mulberry Street is on right.

I-84 WEST FROM HARTFORD – Take the CT-10 exit, EXIT 29, on the left toward Milldale. Stay straight to go onto Mulberry Street. Aqua Turf, 556 Mulberry Street is on right.

FROM I-91 OR THE MERRITT PARKWAY – Merge onto I-169 E via Exit 27 toward Meriden. Take the CT-10 exit, EXIT 3, toward Cheshire. Turn left onto CT-10 (Highland Ave.). Continue to follow CT-10. Stay straight to go onto Old Turnpike Road. Turn right onto Mulberry Street. Aqua Turf, 556 Mulberry Street is on right.

NOTE: Order forms for all Connecticut Federation of Planning and Zoning Agencies publications will be available at the meeting.

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER



Matthew W. Hart, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

January 31, 2012

Mr. Anthony Mele
Transmission Project Manager
Northeast Utilities
107 Selden Street
Berlin, CT 06037

Subject: Interstate Reliability Project

Dear Mr. Mele:

Thank you for providing us with the opportunity to review the Municipal Consultation Filing (MCF) for the proposed Interstate Reliability Project. The information provided both at the community open house and at meetings of the Planning and Zoning Commission and Town Council was of great assistance to both Town staff and officials in our review of the proposed project. While the Town recognizes that Northeast Utilities has already submitted its formal application to the Connecticut Siting Council, we wanted to take this opportunity to formally present our position on the proposed project. We respectfully request that the comments and recommendations in this letter be carefully considered as you continue through the siting process.

After reviewing the changes to the proposed project that were submitted as part of the recent MCF, the Town Council found that the changes made to the preferred alternative since the original submission in 2008 do not effectively address concerns regarding impacts to natural resources and communities as a whole. Therefore, we remain opposed to the proposed route through eastern Connecticut. Specifically, the Council finds:

- There is inadequate consideration given to reasonable alternatives to the proposed project, particularly alternate routes such as a highway centric route, that have a less invasive impact on this and other Eastern Connecticut communities;
- There is inadequate consideration given to mitigating the impact of the preferred alternative, such as minimizing the clear cutting of trees and buffering the visual impact of the project;
- There is a high likelihood of detrimental land use impacts to properties in Mansfield and other eastern Connecticut towns through which the project is planned. In particular, the proposed project would detrimentally impact property values for abutting private schools, childcare centers and residences as a result of the visual impact and general market reluctance to locate next to power lines;

- The proposed project would reduce the functional value of existing and potential farmland and the recreational value of Mansfield Hollow State Park; and
- The proposed project will have a detrimental impact to the rural character of the area without any compensating benefit from the proposed transmission lines to this area of the state.

However, the Council also recognizes that should the route through eastern Connecticut be approved by the Connecticut Siting Council, it would be beneficial for the Town to be on record as to what alternatives or variations would minimize the negative impacts listed above. Therefore, while we remain opposed to this route, we offer the following recommendations to minimize the impact on the Town if the route is ultimately approved by the Siting Council:

- **Recommend that the Siting Council require the use of the Mansfield underground variation and a modified Mount Hope underground variation**

The MCF included two underground variations for Mansfield, one which extended from a point southwest of the Woodmont Drive cul-de-sac to a point west of Conantville Brook ('Mansfield Variation') and another which extended from a point north of the Sawmill Brook Lane cul-de-sac to a point northwest of the Hawthorne Lane cul-de-sac ('Mount Hope Variation').

After reviewing the two variations, we believe that it would be in the best interest of the Town to have the Mansfield Underground variation implemented as proposed in the MCF, and to have the Mount Hope Variation implemented with the following modifications:

- Relocate the western terminus of the Mount Hope variation to a point west of Sawmill Brook Lane to minimize the impacts of the transmission line on that residential neighborhood; and
- Relocate the eastern terminus to west of Route 195/Storrs Road to minimize impacts on farmland located east of Route 195.

As part of the implementation of any underground variation, we respectfully request that the transition stations be designed using the smallest footprint possible to reduce the amount of clearing needed for the stations. Additionally, these stations should be screened from surrounding properties by mature vegetation.

The benefits offered by placing the proposed transmission line underground include:

- Elimination of electrical magnetic field concerns for surrounding residential areas;
- Significant reduction in the amount of vegetation that must be cleared; and
- Elimination of the visual impacts of the second overhead transmission line.

Use of these variations is consistent with Section 16-50(p)(i) of the Connecticut General Statutes addresses undergrounding of new 345 kilovolt facilities:

For a facility described in subdivision (1) of subsection (a) of section 16-50i, with a capacity of three hundred forty-five kilovolts or greater, there shall be a presumption that a proposal to place the overhead portions, if any, of such facility adjacent to residential areas, private or public schools, licensed child day care facilities, licensed youth camps or public playgrounds is inconsistent with the purposes of this chapter. An applicant may rebut this presumption by demonstrating to the council that it will be technologically infeasible to bury the facility. In determining such infeasibility, the council shall consider the effect of burying the facility on the reliability of the electric transmission system of the state and whether the cost of any

contemplated technology or design configuration may result in an unreasonable economic burden on the ratepayers of the state.

- **Recommend that the Siting Council require the use of EMF Best Management Practices Poles between Route 195 and Mansfield Hollow**

As noted above, the Town has recommended that the eastern terminus of the Mount Hope underground variation be moved to the west side of Route 195 to minimize impacts on the active farmland located east of 195. However, as the area between Route 195 and Mansfield Hollow also contains the Mount Hope Montessori School, Green Dragon Daycare as well as numerous homes, additional mitigation of EMF impacts is needed to protect the residents and children attending school in the area. Therefore, the Town recommends that the EMF Best Management Practices (BMP) Poles be implemented between the eastern terminus of the modified Mount Hope underground variation described above and Mansfield Hollow.

The benefits offered by using EMF best management practices poles as described above include:

- Reduction of electrical magnetic field concerns for surrounding residential areas, the Mount Hope Montessori School and the Green Dragon Day Care Center; and
 - Significant reduction in the amount of vegetation that must be cleared.
- **Recommend that the Siting Council require the use of the Hawthorne Lane Alternative**
As proposed, implementation of the preferred alternative in the vicinity of the Hawthorne Park subdivision would result in the loss of the visual buffer currently screening the existing transmission line from the homes located to the north of the cul-de-sac. The affected homeowners have been working with Northeast Utilities for several years on an alternative that would shift both the existing and proposed lines to the south, allowing the existing mature trees and vegetated buffer to remain. The Hawthorne Lane Alternative includes the relocation of the existing transmission line to the south, away from homes developed as part of the Hawthorne Park subdivision. As the preferred alternative would significantly degrade the properties located on the north side of the Hawthorne Lane cul-de-sac, the Town recommends that the Hawthorne Lane alternative be implemented in conjunction with the use of EMF BMP poles recommended above. To facilitate this alternative, the Town is in the process of amending an existing conservation easement to remove the area that would be crossed by the transmission lines.
 - **Recommend that the Siting Council require the use of Design Option 2 for Mansfield Hollow**
Due to the limited right-of-way through Mansfield Hollow (150 feet as compared to 300 feet elsewhere), Northeast Utilities included two design options in the MCF to reduce right-of-way acquisition and clearing through the Hollow. Use of Design Option 2 would eliminate the need for any additional right-of-way and restrict clearing required for the new transmission line to the existing right-of-way. As this option is the least invasive, the Town recommends its use to protect the natural resources of the Hollow and minimize both the visual and physical impacts on the surrounding parkland.
 - **Recommend Protection of Active Farmland**
As shown on the attached aerial photograph, the transmission route runs through active farmland. To minimize impacts on working farms, the Town recommends that the Siting Council require strict adherence to various mitigation measures by Northeast Utilities to minimize impacts on working farms. Such measures include but are not limited to: limiting

construction to non-crop/harvest seasons, ensuring that any soils disturbed or compacted through the process are restored to pre-construction conditions, ensuring that erosion and sedimentation controls are installed and monitored during construction, and financially compensating farmers for impacts to crop production caused by project construction and maintenance activities.

Please contact either myself or Linda M. Painter, Director of Planning and Development, if you have any questions regarding the comments and recommendations contained in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "M. W. Hart".

Matthew W. Hart
Town Manager

Cc: Linda Roberts, Executive Director, Connecticut Siting Council
State Senator Donald Williams
State Representative Gregory Haddad
United States Representative Joseph Courtney
Mark Paquette, Executive Director, Windham Region Council of Governments
Town Council
Planning and Zoning Commission
Conservation Commission
Agriculture Committee